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Federal Register

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of this issue.



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THE FEDERAL REGISTER

WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
 2. The relationship between the Federal Register and Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

MINNEAPOLIS, MN

- WHEN:** June 18, at 1:00 p.m.
WHERE: Bishop Henry Whipple Federal Building, Room 570, Ft. Snelling, MN.
RESERVATIONS: 1-800-366-2998

KANSAS CITY, MO

- WHEN:** June 19, at 9:00 a.m.
WHERE: Federal Building, 601 East 12th Street, Room 110, Kansas City, MO.
RESERVATIONS: 1-800-735-8004

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Rules and Regulations

Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD2 90-03]

Special Local Regulations: Venetian Night 5th Annual Lighted Boat Parade

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for mile 483 to 488 of the Upper Mississippi River. The "Venetian Night 5th Annual Lighted Boat Parade" an approved marine event, will be held on June 30, 1990 at Davenport, Iowa. These regulations are needed to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATES: These regulations will be effective from 8 p.m. to 11:30 p.m. on June 30, 1990.

FOR FURTHER INFORMATION CONTACT: LTJG G.W. Wentz, Chief, Boating Affairs Branch, Second Coast Guard District, 1430 Olive Street, St. Louis, MO 63103-2398 (314) 425-5971.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impracticable for this event. There was not sufficient time to publish proposed rules in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of these regulations are LTJG G.W. Wentz, project officer, Second Coast Guard District Boating Safety Division, and LT M.A. Suire,

project attorney, Second Coast Guard District Legal Office.

Discussion of Regulations

These regulations are issued pursuant to 33 U.S.C. 1233 and 33 CFR part 100.35 for the purpose of promoting the safety of life and property on the Upper Mississippi River between miles 483 and 488 during the "Venetian Night 5th Annual Lighted Boat Parade" on June 30, 1990. This event will consist of a boat parade, which could pose hazards to navigation in the area. These regulations are necessary for the promotion of safety of life and property in the area during this event. These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. This conclusion follows from the fact that the duration of the regulated area is temporary. In addition, these regulations are considered to be nonsignificant in accordance with guidelines set forth in the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, the impact of these regulations is expected to be minimal. In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities.

These rules are necessary to ensure the protection of life and property in the area during the event.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (Water)

Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations, is amended as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary § 100.35-0203 is added, to read as follows:

§ 100.35-0203 [Amended]

(a) *Regulated Area:* The area between Mile 483 and 488 of the Upper

Mississippi River is designated the regatta area.

(b) *Special Local Regulations:* (1) The Coast Guard and U.S. Coast Guard Auxiliary will patrol the regulated area under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 (156.8 MHz) by the call sign "COAST GUARD PATROL COMMANDER." Vessels desiring to transit the regulated area are to do so at "no wake" speed. The above restrictions shall not apply to event participants or patrol vessels performing assigned duties.

(2) The Patrol Commander may direct the anchoring, mooring or movement of any boat or vessel within the regatta area. A succession of sharp, short blasts by whistle or horn from a designated patrol vessel shall be the signal to stop. Failure or refusal to stop to comply with orders of the Patrol Commander may result in expulsion from the area, citation for failure or refusal to comply, or both.

(3) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(4) The Patrol Commander may restrict vessel operation within the regulated area to vessels having particular operating characteristics.

(5) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

(6) The Patrol Commander will terminate enforcement of the special regulations at the conclusion of the marine event if earlier than the announced termination time.

(c) *Effective Dates:* These regulations are effective from 8 p.m. to 11:30 p.m. on June 30, 1990. These times represent a guideline for possible intermittent river closures not to exceed three (3) hours in duration. Mariners will be afforded enough time between such closure periods to transit the area in a timely manner.

Dated: May 18, 1990.

M. J. Moynihan,

Captain, U.S. Coast Guard, Commander, Second Coast Guard District, Acting.

[FR Doc. 90-12535 Filed 5-30-90; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 100

[CGD 05-90-25]

Special Local Regulations for Marine Events; Fourth of July Fireworks Display; Little Egg Harbor, Beach Haven, NJ**AGENCY:** Coast Guard, DOT.**ACTION:** Notice of implementation of 33 CFR 100.514.

SUMMARY: This notice implements 33 CFR 100.514 for the Fourth of July fireworks display launched from Parker Island, Little Egg Harbor, Beach Haven, New Jersey. The regulations in 33 CFR 100.514 are needed to control vessel traffic within the immediate vicinity of this event. The regulations restrict vessel traffic in the area for the safety of life and property on the navigable waters during the event.

EFFECTIVE DATE: The regulations in 33 CFR 100.514 are effective from 8 p.m. to 11 p.m., July 4, 1990. If inclement weather causes the postponement of the event, the regulations are effective from 8 p.m. to 11 p.m., July 5, 1990.

FOR FURTHER INFORMATION CONTACT: Stephen L. Phillips, Chief, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204.

Drafting Information

The drafters of this notice are QM1 Kevin R. Connors project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and Captain Michael K. Cain, project attorney, Fifth Coast Guard District Legal Staff.

Discussion of Regulations

The Red, White and Blue Committee, Ltd., Beach Haven, New Jersey submitted an application on March 12, 1990 to hold a fireworks display launched from Parker Island, Little Egg Harbor, Beach Haven, New Jersey. The waters of Little Egg Harbor enclosed by a circle around the island's center with a radius of 1000 feet will be closed to waterborne traffic during the event. Vessels transiting the area will not be inconvenienced since the deep water channel will remain open.

Dated: May 23, 1990.

P.A. Welling,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

[FR Doc. 90-12537 Filed 5-30-90; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 61

[AD-FRL-3691-8]

National Emission Standards for Hazardous Air Pollutants; Test Methods

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action adds Methods 108B and 108C for the determination of arsenic in ore samples to appendix B of 40 CFR part 61. ASARCO, Inc. requested that the test methods be published as alternatives to Method 108A to preclude a financial hardship on the company by the analytical equipment required in Method 108A. These new methods are similar to Method 108A and have been used as standardized procedures by the company in the past. These test methods were proposed in the *Federal Register* on January 26, 1989 (54 FR 3791).

DATES: *Effective Date:* May 31, 1990. The incorporation by reference of a certain publication listed in the regulations is approved by the Director of the Federal Register as of May 31, 1990.

Judicial Review: Under section 307(b)(1) of the Clean Air Act, judicial review of the actions taken by this notice is available only by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this rule. Under section 306(b)(2) of the Clean Air Act, the requirements that are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

ADDRESSES: Docket. Docket No. A-88-12, containing materials relevant to this rulemaking, is available for public inspection and copying between 8:30 a.m. and 3:30 p.m., Monday through Friday, at EPA's Air Docket Section, room M-1500, 1st Floor, Waterside Mall, 401 M Street SW., Washington, DC 20460. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Foston Curtis or Roger Shigehara, Emission Measurable Branch (MD-19), Technical Support Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone (919) 541-1063.

SUPPLEMENTARY INFORMATION:**I. The Rulemaking**

This rulemaking does not impose emission measurement requirements beyond those specified in the correct regulations, nor does it change any emission standard. Rather, the rulemaking would simply add two test methods associated with emission measurement requirements that would apply irrespective of this rulemaking.

II. Public Participation

The opportunity to hold a public hearing on March 13, 1989 at 10:00 a.m. was presented in this proposal notice, but no one desired to make an oral presentation. The public comment period was from January 26, 1989 to April 11, 1989.

III. Significant Comments and Changes to the Proposed Rulemaking

No comment letters were received from the proposal of the rulemaking, and no subsequent method revisions have been made.

IV. Administrative

The docket is an organized and complete file of all the information considered by EPA in the development of this rulemaking. The docket is a dynamic file, since material is added throughout the rulemaking development. The docketing system is intended to allow members of the public and industries involved to identify readily and locate documents so that they can effectively participate in the rulemaking process. Along with the statement of basis and purpose of the proposed and promulgated test method revisions and EPA responses to significant comments, the contents of the docket, except for interagency review materials, will serve as the record in case of judicial review (section 307(d)(7)(A)).

Under Executive Order 12291, EPA is required to judge whether a regulation is a "major rule" and, therefore, subject to the requirements of a regulatory impact analysis. The Agency has determined that this regulation would result in none of the adverse economic effects set forth in section 1 of the Order as grounds for finding a regulation to be a "major rule." The Agency has, therefore, concluded that this regulation is not a "major rule" under Executive Order 12291.

The Regulatory Flexibility Act (RFA) of 1980 requires the identification of potentially adverse impacts of Federal regulations upon small business entities. The Act specifically requires the completion of an RFA analysis in those instances where small business impacts are possible. Because this rulemaking

imposes no adverse economic impacts, an analysis has not been conducted.

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that the promulgated rule will not have an impact on small entities because no additional costs will be incurred.

This rule does not change any information collection requirements subject to OMB review under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

List of Subjects in 40 CFR Part 61

Air pollution control, Asbestos, Arsenic, Beryllium, Hazardous materials, Incorporation by reference, Mercury, and Vinyl chloride.

Dated: March 12, 1990.

William K. Reilly,
Administrator.

40 CFR part 61 is amended as follows:

PART 61—[AMENDED]

1. The authority for 40 CFR part 61 continues to read as follows:

Authority: 42 U.S.C. 7401, 7412, 7414, 7416, and 7601.

2. By adding paragraph (a)(7) to § 61.18 of Subpart A—General Provisions to read as follows:

§ 61.18 Incorporation by reference.

(a) ***

(7) ASTM E 50 (reapproved 1986), Standard Practices for Apparatus Reagents, and Safety Precautions for Chemical Analysis of Metals, IRB approved for Method 108C, par. 2.1.4.

§ 61.164 [Amended]

3. In § 61.164(d)(2), "conducte mission" in the first sentence is revised to read "conduct emission."

§ 61.174 [Amended]

4. In § 61.174(f)(2) introductory text, "Method 108A" in the second sentence is revised to read "Method 108A, 108B, or 108C."

§ 61.174 [Amended]

5. In § 61.174(f)(3), "R_d" in the equation is revised to read "R_c."

6. At the beginning of appendix B, the following entries are added in the numerical order in the summary of methods:

Method 108—Determination of Particulate and Gaseous Arsenic Emissions

Method 108A—Determination of Arsenic Content in Ore Samples from Nonferrous Smelters

Method 108B—Determination of Arsenic Content in Ore Samples from Nonferrous Smelters

Method 108C—Determination of Arsenic Content in Ore Samples from Nonferrous Smelters

7. By adding Methods 108B and 108C to appendix B as follows:

Appendix B—Test Methods

* * * * *

Method 108B—Determination of Arsenic Content in Ore Samples from Nonferrous Smelters

1. Applicability and Principle

1.1 Applicability. This method applies to the determination of inorganic arsenic (As) content of process ore and reverberatory matte samples from nonferrous smelters and other sources as specified in the regulations. Samples resulting in an analytical concentration greater than 10 µg As/ml may be analyzed by this method.

1.2 Principle. Arsenic bound in ore samples is liberated by acid digestion and analyzed by flame atomic absorption spectrophotometry.

2. Apparatus

- 2.1 Sample Preparation.
- 2.2.1 Teflon Beakers. 150-ml.
- 2.2.2 Graduated Pipets. 5-ml disposable.
- 2.2.3 Graduated Cylinder. 50-ml.
- 2.2.4 Volumetric Flask. 100-ml.
- 2.2.5 Analytical Balance. To measure within 0.1 mg.
- 2.2.6 Hot Plate.
- 2.2.7 Perchloric Acid Fume Hood.
- 2.2 Analysis.
- 2.2.1 Spectrophotometer. Equipped with an electrodeless discharge lamp and a background corrector to measure absorbance at 193.7 nm.
- 2.2.2 Beaker and Watch Glass. 400-ml.
- 2.2.3 Volumetric Flask. 1-liter.
- 2.2.4 Volumetric Pipets. 1-, 5-, 10-, and 25-ml.

3. Reagents

Unless otherwise specified, use American Chemical Society (ACS) reagent grade (or equivalent) chemicals throughout.

3.1 Sample Preparation.

3.1.1 Water. Deionized distilled to meet American Society for Testing and Materials Specification D 1193-74, Type 3 (incorporated by reference—see § 61.18).

3.1.2 Nitric Acid (HNO₃). Concentrated. HANDLE WITH CAUTION.

3.1.3 Hydrofluoric Acid (HF). Concentrated. HANDLE WITH CAUTION.

3.1.4 Perchloric Acid (HClO₄). 70 Percent. HANDLE WITH CAUTION.

Note: Because of its caustic, hygroscopic, and deflagrating nature, use extreme care in handling HClO₄. Keep separate from water and oxidizable materials to prevent vigorous evolution of heat, spontaneous combustion, or explosion. Heat solutions containing HClO₄ only in hoods specifically designed for HClO₄.

3.1.5 Hydrochloric Acid (HCl). Concentrated. HANDLE WITH CAUTION.

3.2 Analysis.

3.2.1 Water. Same as in Section 3.1.1.

3.2.2 Stock Arsenic Standard. 1.0 mg As/ml. Dissolve 1.3203 g of primary grade As₂O₃ (dried at 105°C) in a 400-ml beaker with 10 ml of HNO₃ and 5 ml HCl. Cover with a watch glass and heat gently until dissolution is complete. Add 10 ml of HNO₃ and 25 ml of

HClO₄, evaporate to strong fumes of HClO₄, and reduce to about 20 ml volume. Cool, add 100 ml of water and 100 ml of HCl, and transfer quantitatively to a 1-liter volumetric flask. Dilute to volume with water and mix.

3.2.3 Acetylene. Suitable quality for atomic absorption analysis.

3.2.4 Air. Suitable quality for atomic absorption analysis.

3.2.5 Quality Assurance Audit Samples. Same as in Method 108A, Section 3.2.8.

4. Procedure

4.1 Sample Collection. Same as in Method 108A, Section 4.1.

4.2 Sample Preparation. Weigh 100 to 1000 mg of finely pulverized sample to the nearest 0.1 mg. Transfer the sample to a 150-ml Teflon beaker. Dissolve the sample by adding 15 ml of HNO₃, 10 ml of HCl, 10 ml of HF, and 10 ml of HClO₄ in the exact order as described, and let stand for 10 minutes. In a HClO₄ fume hood, heat on a hot plate until 2–3 ml of HClO₄ remain, then cool. Add 20 ml of water and 10 ml of HCl. Cover and warm until the soluble salts are in solution. Cool, and transfer quantitatively to 100-ml volumetric flask. Dilute to the mark with water.

4.3 Spectrophotometer Preparation. Same as in Method 108A, Section 4.3.

4.4 Preparation of Standard Solutions.

4.4.1 Pipet 1, 5, 10, and 25 ml of the stock As solution into separate 100-ml flasks. Add 2 ml of HClO₄, 10 ml of HCl, and dilute to the mark with water. This will provide standard concentrations of 10, 50, 100, and 250 µg As/ml. For lower level arsenic samples, use Method 108C.

4.4.2 Measure the standard absorbances against the reagent blank. Check these absorbances frequently against the blank during the analysis to ensure that baseline drift has not occurred.

4.4.3 Prepare a standard curve of absorbance versus concentration.

Note.—For instruments equipped with direct concentration readout devices, preparation of a standard curve will not be necessary. In all cases, follow calibration and operational procedures in the manufacturer's instruction manual. Maintain a laboratory log of all calibrations.

4.5 Analysis.

4.5.1 Arsenic Determination. Determine the absorbance of each sample using the blank as a reference. If the sample concentration falls outside the range of the calibration curve, make an appropriate dilution with 2 percent HClO₄/10 percent HCl (prepared by diluting 2 ml concentrated HClO₄ and 10 ml concentrated HCl to 100 ml with water) so that the final concentration falls within the range of the curve. From the curve, determine the As concentration in each sample.

4.5.2 Mandatory Check for Matrix Effects on the Arsenic Results. Same as in Method 12, Section 5.4.2, 40 CFR part 60.

4.5.3 Audit Analysis. Same as in Method 108A, Section 4.5.3.

5. Calculations

Same as in Method 108A, Section 5.

6. Bibliography

Same as in Method 108A, Section 6.

Method 108C—Determination of Arsenic Content in Ore Samples from Nonferrous Smelters**1. Applicability and Principle**

1.1 **Applicability.** This method applies to the determination of inorganic arsenic (As) content of process ore and reverberatory matte samples from nonferrous smelters and other sources as specified in the regulations. This method is applicable to samples having an analytical concentration less than 10 µg As/ml.

1.2 **Principle.** Arsenic bound in ore samples is liberated by acid digestion and analyzed by the molybdenum blue photometric procedure.

2. Apparatus

- 2.1 **Sample Preparation and Distillation.**
 - 2.1.1 **Analytical Balance.** To measure to within 0.1 mg.
 - 2.1.2 **Erlenmeyer Flask.** 300-ml.
 - 2.1.3 **Hot Plate.**
 - 2.1.4 **Distillation Apparatus.** No. 6, American Society for Testing and Materials (ASTM) E50, reapproved 1986 (incorporated

by reference—see § 60.18); detailed in Figure 108C-1.

- 2.1.5 **Graduated Cylinder.** .50-ml.
- 2.1.6 **Perchloric Acid Fume Hood.**
- 2.2 **Analysis.**
 - 2.2.1 **Photometer.** Capable of measuring at 660 nm.
 - 2.2.2 **Volumetric Flasks.** 50- and 100-ml.

3. Reagents

Unless otherwise specified, use ACS reagent grade (or equivalent chemicals) throughout.

BILLING CODE 6560-50-M

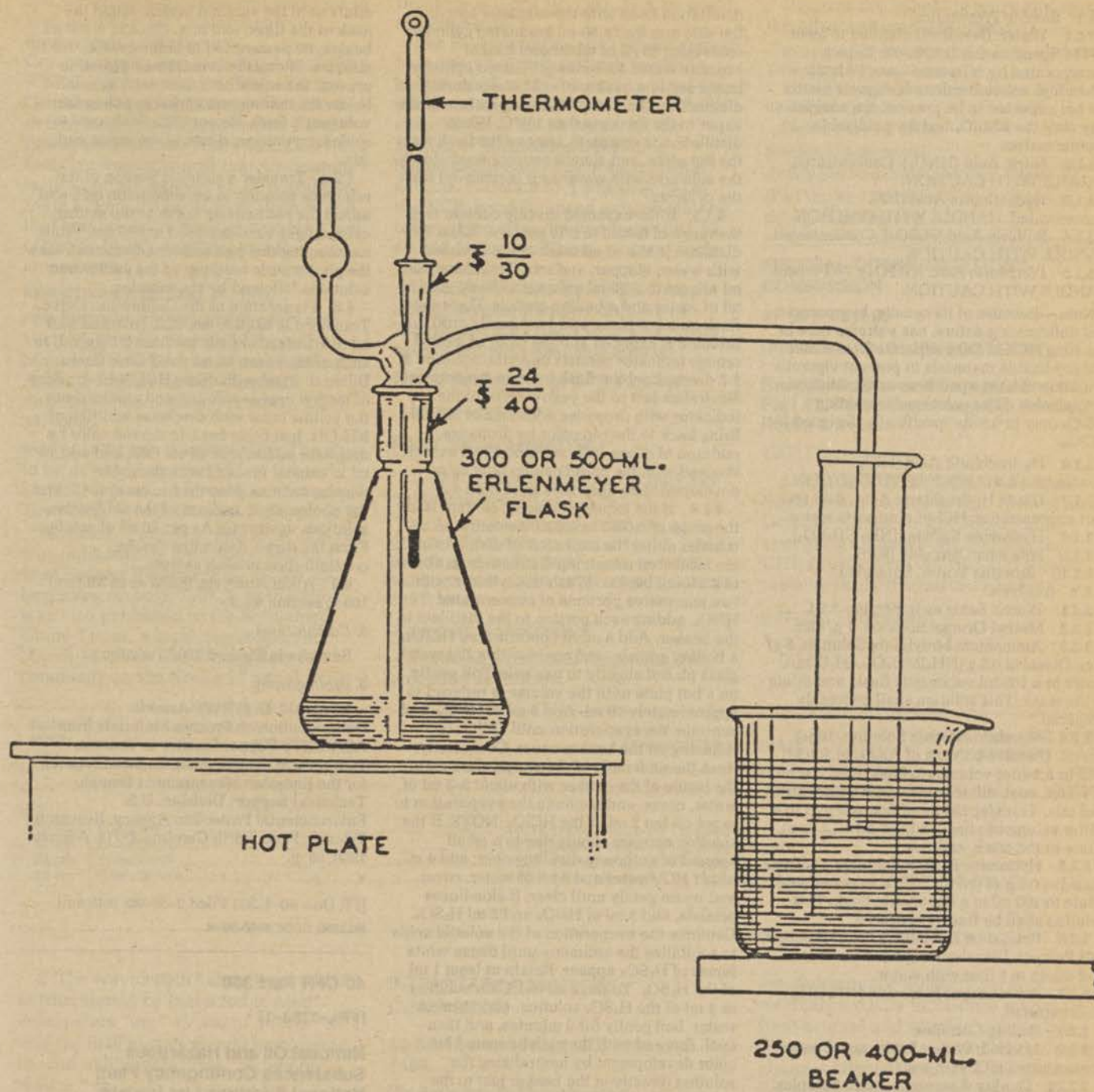


Figure 108C-1. Distillation apparatus.

11a

3.1 Sample Preparation.

3.1.1 Water. Deionized distilled to meet ASTM Specification D 1193-74, Type 3 (incorporated by reference—see § 61.18). When high concentrations of organic matter are not expected to be present, the analyst may omit the KMnO_4 test for oxidizable organic matter.

3.1.2 Nitric Acid (HNO_3), Concentrated. HANDLE WITH CAUTION.

3.1.3 Hydrofluoric Acid (HF), Concentrated. HANDLE WITH CAUTION.

3.1.4 Sulfuric Acid (H_2SO_4), Concentrated. HANDLE WITH CAUTION.

3.1.5 Perchloric Acid (HClO_4), 70 Percent. HANDLE WITH CAUTION.

Note.—Because of its caustic, hygroscopic, and deflagrating nature, use extreme care in handling HClO_4 . Keep separate from water and oxidizable materials to prevent vigorous evolution of heat, spontaneous combustion, or explosion. Heat solutions containing HClO_4 only in hoods specifically designed for HClO_4 .

3.1.6 Hydrochloric Acid (HCl), Concentrated. HANDLE WITH CAUTION.

3.1.7 Dilute Hydrochloric Acid. Add one part concentration HCl to nine parts water.

3.1.8 Hydrazine Sulfate $[(\text{NH}_2)_2\text{H}_2\text{SO}_4]$.

3.1.9 Potassium Bromide (KBr).

3.1.10 Bromine Water, Saturated.

3.2 Analysis.

3.2.1 Water. Same as in Section 3.1.1.

3.2.2 Methyl Orange Solution, 1 g/liter.

3.2.3 Ammonium Molybdate Solution, 5 g/liter. Dissolve 0.5 g $(\text{NH}_4)_2\text{MoO}_4 \cdot 4\text{H}_2\text{O}$ in water in a 100-ml volumetric flask, and dilute to the mark. This solution shall be freshly prepared.

3.2.4 Standard Arsenic Solution, 10 μg As/ml. Dissolve 0.1320 g of As_2O_3 in 100 ml HCl in a 1-liter volumetric flask. Add 200 ml of water, cool, dilute to the mark with water, and mix. Transfer 100 ml of this solution to a 1-liter volumetric flask, add 40 ml HCl, cool, dilute to the mark, and mix.

3.2.5 Hydrazine Sulfate Solution, 1 g/liter. Dissolve 0.1 g of $(\text{NH}_2)_2\text{H}_2\text{SO}_4$ in water, and dilute to 100 ml in a volumetric flask. This solution shall be freshly prepared.

3.2.6 Potassium Bromate (KBrO_3) Solution, 0.03 Percent. Dissolve 0.3 g KBrO_3 in water, and dilute to 1 liter with water.

3.2.7 Ammonium Hydroxide (NH_4OH), Concentrated.

3.2.8 Boiling Granules.

3.2.9 1/1 HCl/Water. Dilute equal parts concentrated HCl with water.

3.2.10 Quality Assurance Audit Samples. Same as in Method 108A, Section 3.2.8.

4. Procedure

4.1 Sample Preparation and Distillation.

4.1.1 Weigh 1.0 g of finely pulverized sample to the nearest 0.1 mg. Transfer the sample to a 300-ml Erlenmeyer flask and add 15 ml of HNO_3 , 4 ml HCl, 2 ml HF, 3 ml HClO_4 , and 15 ml H_2SO_4 . In a HClO_4 fume hood, heat on a hot plate to decompose the sample. Then heat while swirling over an open flame until dense, white fumes evolve. Cool, add 15 ml of water, swirl to hydrate the H_2SO_4 completely, and add several boiling granules. Cool to room temperature.

4.1.2 Add 1 g of KBr, 1 g hydrazine sulfate, and 50 ml HCl. Immediately attach the

distillation head with thermometer and dip the side arm into a 50-ml graduated cylinder containing 25 ml of water and 2 ml of bromine water. Keep the graduated cylinder immersed in a beaker of cold water during distillation. Distill until the temperature of the vapor in the flask reaches 107°C . When distillation is complete, remove the flask from the hot plate, and simultaneously wash down the side arm with water as it is removed from the cylinder.

4.1.3 If the expected arsenic content is in the range of 0.0020 to 0.10 percent, dilute the distillate to the 50-ml mark of the cylinder with water, stopper, and mix. Transfer a 5.0-ml aliquot to a 50-ml volumetric flask. Add 10 ml of water and a boiling granule. Place the flask on a hot plate, and heat gently until the bromine is expelled and the color of methyl orange indicator persists upon the addition of 1-2 drops. Cool the flask to room temperature. Neutralize just to the yellow color of the indicator with dropwise additions of NH_4OH . Bring back to the red color by dropwise addition of dilute HCl, and add 10 ml excess. Proceed with the molybdenum blue color development as described in section 4.2.

4.1.4 If the expected arsenic content is in the range of 0.0002 to 0.0010 percent As, transfer either the entire initial distillate or the measured remaining distillate from above to a 250-ml beaker. Wash the cylinder with two successive portions of concentrated HNO_3 , adding each portion to the distillate in the beaker. Add 4 ml of concentrated HClO_4 , a boiling granule, and cover with a flat watch glass placed slightly to one side. Boil gently on a hot plate until the volume is reduced to approximately 10 ml. Add 3 ml of HNO_3 , and continue the evaporation until HClO_4 is refluxing on the beaker cover. Cool briefly, rinse the underside of the watch glass and the inside of the beaker with about 3-5 ml of water, cover, and continue the evaporation to expel all but 2 ml of the HClO_4 . NOTE: If the solution appears cloudy due to a small amount of antimony distilling over, add 4 ml of 1/1 HCl/water and 5 ml of water, cover, and warm gently until clear. If cloudiness persists, add 5 ml of HNO_3 and 2 ml H_2SO_4 . Continue the evaporation of the volatile acids to solubilize the antimony until dense white fumes of H_2SO_4 appear. Retain at least 1 ml of the H_2SO_4 . To the 2 ml of HClO_4 solution or 1 ml of the H_2SO_4 solution, add 15 ml of water, boil gently for 2 minutes, and then cool. Proceed with the molybdenum blue color development by neutralizing the solution directly in the beaker just to the yellow indicator color by dropwise addition of NH_4OH . Just bring back the red color by dropwise addition of dilute HCl. Transfer the solution to a 50-ml volumetric flask, and rinse the beaker successively with 10 ml of dilute HCl, followed by several small portions of water. At this point the volume of solution in the flask should be no more than 40 ml. Continue with the color development as described in section 4.2.

4.2 Analysis.

4.2.1 Add 1 ml of KBrO_3 solution to the flask and heat on a low-temperature hot plate to about 50°C to oxidize the arsenic and methyl orange. Add 5.0 ml of ammonium molybdate solution to the warm solution and mix. Add 2.0 ml of hydrazine sulfate solution,

dilute until the solution comes within the neck of the flask, and mix. Place in a 400-ml beaker, 80 percent full of boiling water, for 10 minutes. Enough heat must be supplied to prevent the water bath from cooling much below the boiling point upon inserting the volumetric flask. Remove the flask, cool to room temperature, dilute to the mark, and mix.

4.2.2 Transfer a suitable portion of the reference solution to an absorption cell, and adjust the photometer to the initial setting, using a light band centered at 860 nm. While maintaining this photometer adjustment, take the photometric readings of the calibration solutions followed by the samples.

4.3 Preparation of the Calibration Curve. Transfer 1.0, 2.0, 4.0, 8.0, 12.0, 16.0, and 20.0 ml of standard arsenic solution (10 $\mu\text{g}/\text{ml}$) to each of the seven 50-ml volumetric flasks. Dilute to 20 ml with dilute HCl. Add one drop of methyl orange solution and neutralize to the yellow color with dropwise addition of NH_4OH . Just bring back to the red color by dropwise addition of dilute HCl, and add 10 ml in excess. Proceed with the color development as described in section 4.2. Plot the photometric readings of the calibration solutions against μg As per 50 ml of solution. From the curve, determine the As concentration in each sample.

4.4 Audit Analysis. Same as in Method 108A, section 4.5.3.

5. Calculations

Same as in Method 108A, section 5.

6. Bibliography

Ringwald, D. (TRW). Arsenic Determination on Process Materials from ASARCO's Copper Smelter in Tacoma, Washington. Unpublished Report. Prepared for the Emission Measurement Branch, Technical Support Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. August 1980. 35 p.

* * * * *

[FR Doc. 90-12331 Filed 5-30-90; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 300

[FRL-3783-1]

National Oil and Hazardous Substances Contingency Plan; National Priorities List Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of a site from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) announces the deletion of the Reeser's Landfill Superfund site in Upper Macungie Township, Pennsylvania from the National Priorities List (NPL). The NPL is Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part

300, which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended. EPA and the Commonwealth of Pennsylvania have determined that all appropriate Fund-financed responses under CERCLA have been implemented and that no cleanup is appropriate. Moreover, EPA and the State of Pennsylvania have determined that conditions at the site are protective of public health, welfare, and the environment.

EFFECTIVE DATE: May 31, 1990.

FOR FURTHER INFORMATION CONTACT:

Victor J. Janosik, Remedial Project Manager, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107, (215) 597-8996.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is Reeser's Landfill Superfund Site, Upper Macungie Township, Lehigh County, Pennsylvania.

A notice of intent to delete for this site was published in the Friday, March 2, 1990 *Federal Register*, Vol. 55, No. 42 beginning on page 7507. A notification was also published in the Bethlehem Globe-Times, a local newspaper, on March 14, 1990. The closing date for comments on the Notice of Intent to

Delete was April 16, 1990. EPA received no comments.

The EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Superfund (Fund-) financed remedial actions. Pursuant to § 300.425(e)(3) of the NCP, Fund-financed actions may be taken at the sites deleted from the NPL should future conditions warrant such actions.

Deletion of a site from NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Hazardous waste.

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: Sec. 105, Pub. L. 96-510, 94 Stat. 2764, 42 U.S.C. 9605 and sec. 311(c)(2), Pub. L. 92-500 as amended, 86 Stat. 865, 33 U.S.C. 1321(c)(2); E.O. 12316, 46 FR 42237; E.O. 11735, 38 FR 21243.

Appendix B [Amended]

2. The NPL part 300; Appendix B is amended as follows:

Remove the following entry and move the other entries accordingly:

Reeser's Landfill, Upper Macungie Township, Pennsylvania.

The NPL will reflect this deletion in the next final update.

Dated: May 16, 1990.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

[FR Doc. 90-12619 Filed 5-30-90; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 97

[PR Docket No. 88-139; FCC 89-180]

Reorganization and Deregulation of Part 97, Rules Governing the Amateur Radio Service

CFR Correction

1. In title 47 of the Code of Federal Regulations, part 80 to end, revised as of October 1, 1989, in § 97.305(c) table, appearing on pages 561 and 562, the UHF entries were omitted and should precede the SHF entries as follows:

§ 97.305 [Corrected]

* * * * *

(c) * * *

Wave-length band	Frequencies	Emission types authorized	Standards see § 97.307(f), paragraph:
***	***	***	***
UHF:			
70 cm	Entire band.....	MCW, phone, image, RTTY, data, test.....	(6), (8).
33 cm	Entire band.....	MCW, phone, image, RTTY, data, test, pulse.....	(7), (8), and (12).
23 cm	Entire band.....	MCW, phone, image, RTTY, data, SS, test.....	(7), (8), and (12).
13 cm	Entire band.....	MCW, phone, image, RTTY, data, SS, test, pulse.....	(7), (8), and (12).
***	***	***	***

2. The wavelength bands for the SHF entries should be corrected to read centimeters "cm" in lieu of meters "m", and the EHF entries should be corrected to read millimeters "mm" in lieu of meters "m".

BILLING CODE 1505-01-D

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1003, 1160, 1162 and 1168

[Ex Parte No. 55 (Sub-No. 69)]

RIN 3120-AB57

Rules Governing Applications for Operating Authority—Revision of Form OP-1

AGENCY: Interstate Commerce Commission.

ACTION: Final rules; postponement of effective date.

SUMMARY: In a notice of policy statement in Ex Parte No. 55 (Sub-No. 69A), 55 FR 21386 (May 24, 1990), the Commission revised its licensing policy

governing motor property carriers to routinely exclude hazardous materials from general and specific commodity service descriptions. To incorporate the changes adopted into the Commission's Form OP-1 licensing application, we have postponed the effective date of the new licensing form and corresponding regulations adopted in Ex Parte No. 55 (Sub-No. 69), 54 FR 53636 (December 29, 1989). The effective date was originally postponed until June 1, 1990, 54 FR 14285 (April 17, 1990) and this document further delays the effectiveness of the rules.

EFFECTIVE DATE: The final rules will now become effective on June 15, 1990.

FOR FURTHER INFORMATION CONTACT: Suzanne O'Malley, (202) 275-7292, or

Richard B. Felder, (202) 275-7691. (TDD for hearing impaired: (202) 275-1721).

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision in Ex Parte No. 55 (Sub-No. 69A). To obtain a copy of the full decision, write to, call, or pick up in person from Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, Washington, DC 20423. Telephone: (202) 289-4357/4359. (Assistance for the hearing impaired is available through TDD service (202) 275-1721.)

Decided: May 15, 1990.

By the Commission, Chairman Philbin, Vice Chairman Phillips, Commissioners Simmons, Lamboley and Emmett. Vice Chairman Phillips commented with a separate expression.

Noreta R. McGee,

Secretary.

[FR Doc. 90-12585 Filed 5-30-90; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

[Docket No. 900511-0111]

Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of reopening.

SUMMARY: NOAA announces the reopening of the ocean commercial salmon fishery in the exclusive economic zone (EEZ) from the U.S.-Canada border to Cape Falcon, Oregon, on May 18, 1990. This fishery was closed at midnight, May 14, 1990. Evaluation of landing data following closure of the fishery indicates that sufficient chinook salmon remain to allow additional fishing. This action is intended to maximize the harvest of chinook salmon in this subarea without exceeding the ocean share of salmon allocated to the commercial fishery.

DATES: Effective: Reopening of the EEZ to commercial salmon fishing between the U.S.-Canada border and Cape Falcon, Oregon, is effective 0001 hours

local time May 18, 1990, through 2400 hours local time June 15, 1990. Actual notice to affected fishermen was given prior to that time through a special telephone hotline and U.S. Coast Guard Notice to Mariners broadcasts as provided by 50 CFR 661.20, 661.21, and 661.23 (as amended May 1, 1989).

Comments: Comments will be accepted through June 11, 1990.

ADDRESSES: Comments may be mailed to Rolland A. Schmitt, Director, Northwest Region, National Marine Fisheries Service, 7600 Sand Point Way NE., BIN C15700, Seattle, WA 98115-0070. Information relevant to this notice has been compiled in aggregate form and is available for public review during business hours at the office of the NMFS Northwest Regional Director.

FOR FURTHER INFORMATION CONTACT: William L. Robinson at 206-526-6140.

SUPPLEMENTARY INFORMATION:

Regulations governing the ocean salmon fisheries at 50 CFR part 661 specify at § 661.21(a)(2) that "If a fishery is closed under a quota before the end of a scheduled season based on overestimate of actual catch, the Secretary will reopen that fishery in as timely a manner as possible for all or part of the remaining original season provided the Secretary finds that a reopening of the fishery is consistent with the management objectives for the affected species and the additional open period is no less than 24 hours."

Management measures for 1990 were effective on May 1, 1990 (55 FR 18894, May 7, 1990). The 1990 commercial fishery for all salmon except coho in the subarea from the U.S.-Canada border to Cape Falcon, Oregon, commenced on May 1, 1990, and closed at midnight, May 14, 1990, upon the projected attainment of a subarea quota of 26,100 chinook salmon. Subsequent evaluation of landing data indicates that this closure was based on an overestimate of actual catch.

According to the best available information, commercial catches through May 14, 1990, totaled 14,750 chinook salmon, leaving 11,350 chinook salmon available for harvest in the subarea chinook quota. This amount of available chinook salmon has been determined to be sufficient for additional fishing for the remainder of the original season which is scheduled to close the earlier of June 15, 1990, or

the attainment of the subarea quota of 26,100 chinook salmon. This action is being taken in as timely a manner as possible and is consistent with the management objectives for chinook salmon in this subarea. As in the original season, Conservation Zone 1, the Columbia River mouth, is closed (55 FR 18894, May 7, 1990).

In accordance with the revised inseason notice procedures of 50 CFR 661.20, 661.21, and 661.23, actual notice to fishermen was given prior to 0001 hours local time, May 18, 1990, by telephone hotline number (206) 526-6667 and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 KHz. NOAA issues this notice of the reopening of the commercial salmon fishery in the EEZ from the U.S.-Canada border to Cape Falcon, Oregon, which was effective at 0001 hours local time, May 18, 1990. This notice does not apply to treaty Indian fisheries or to other fisheries which may be operating in other areas.

The Regional Director consulted with representatives of the Pacific Fishery Management Council, the Washington Department of Fisheries, and the Oregon Department of Fish and Wildlife regarding this reopening. The States of Washington and Oregon will manage the commercial fishery in State waters adjacent to this area of the EEZ in accordance with this Federal action.

Because of the need for immediate action, the Secretary of Commerce has determined that good cause exists for this notice to be issued without affording a prior opportunity for public comment. Therefore, public comments on this notice will be accepted for 15 days after filing with the Office of the Federal Register, through June 11, 1990.

Other Matters

This action is authorized by 50 CFR 661.23 and is in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 661

Fisheries, Fishing, Indians.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: May 24, 1990.

David S. Crestin,

Acting Director, Office of Fisheries, Conservation and Management.

[FR Doc. 90-12581 Filed 5-25-90; 11:43 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register

Vol. 55, No. 105

Thursday, May 31, 1990

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 916 and 917

[Docket No. FV-90-166PR]

Proposed Expenses and Assessment Rate for Specified Marketing Orders

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would authorize expenditures and establish assessment rates for the 1990-91 fiscal year (March 1-February 28) under Marketing Order Nos. 916 and 917. These expenditures and assessment rates are needed by the Nectarine Administrative Committee and the Plum and Peach Commodity Committees established under these orders to pay marketing order expenses and collect assessments from handlers to pay those expenses. The proposed action would enable these committees to perform their duties and the orders to operate.

DATES: Comments must be received by June 11, 1990.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule to: Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456. Three copies of all written material shall be submitted, and they will be made available for public inspection in the office of the Docket Clerk during regular business hours. All comments should reference the docket number, date, and page number of this issue of the Federal Register.

FOR FURTHER INFORMATION CONTACT: Thomas Tichenor, Marketing Specialist, Marketing Order Administration Branch, F&V, AMS, USDA, P.O. Box 96456, Room 2525-S, Washington, DC 20090-6456, telephone: (202) 475-5464.

SUPPLEMENTARY INFORMATION: This proposed rule is issued under the

Marketing Agreement and Marketing Order Nos. 916 (7 CFR part 916) regulating the handling of nectarines grown in California, and 917 (7 CFR part 917) regulating the handling of fresh pears, plums, and peaches grown in California. These agreements and orders are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the Act.

This rule has been reviewed by the Department in accordance with Departmental Regulation 1512-1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this proposed rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are about 650 handlers of California plums, peaches and nectarines subject to regulation under Marketing Order Nos. 916 and 917 and about 2,030 producers of these commodities in California. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual receipts of less than \$500,000, and small agricultural services firms are defined as those whose annual receipts are less than \$3,500,000. The majority of the handlers and producers may be classified as small entities.

These marketing orders, administered by the U.S. Department of Agriculture (Department), require that assessment rates for a particular fiscal year shall apply to all assessable fresh fruit handled from the beginning of such year. An annual budget of expenses is prepared by each marketing committee and submitted to the Department for approval. The members of these committees are handlers and producers of the regulated commodities. They are

familiar with the committees' needs and with the costs for goods, services, and personnel in their local areas and are thus in a position to formulate appropriate budgets. The budgets are formulated and discussed in public meetings. Thus, all directly affected persons have an opportunity to participate and provide input.

The assessment rate recommended by each committee is derived by dividing anticipated expenses by the packages of fresh fruit expected to be shipped under the order. Because that rate is applied to actual shipments, it must be established at a rate which will produce sufficient income to pay the committees' expected expenses. Recommended budgets and rates of assessment are usually acted upon by the committees shortly before a season starts, and expenses are incurred on a continuous basis. Therefore, budget and assessment rate approvals must be expedited so that the committees will have funds to pay their expenses.

The Nectarine Administrative Committee (NAC) met May 2, 1990, and unanimously recommended a 1990-91 budget with expenditures of \$3,639,676 and an assessment rate of \$0.18 per 25-pound package or equivalent. In comparison, the 1989-90 fiscal year budgeted expenditures were \$3,515,037 and the assessment rate was \$0.185. Major expenditure categories projected for 1990-91 with budgeted 1989-90 expenditures in parenthesis are: Salaries and employee benefits, \$217,846 (\$193,190); production research, \$86,181 (\$86,587); market development and promotion, \$1,853,715 (\$2,076,100); inspection, \$940,100 (\$907,500), and uncollected assessment accounts, \$350,000 (\$65,000). With the exception of a \$25,000 grant to the Pear Commodity Committee in recognition of the significant amount of staff time devoted to compliance efforts, the remaining expenses are for program administration.

The NAC budget includes \$16,667 for the possible construction of production research facilities in California, but this type of expenditure is not authorized under the order. These budgeted funds may be used for other research recommended by the NAC and approved by the Department.

The NAC estimates available 1990-91 assessment income at \$2,926,000. This amount is based on assessments totaling \$3,276,000 (18,200,000 packages of

assessable nectarines shipped at \$0.18 per 25-pound package), less \$350,000 in anticipated uncollected contested assessments. Assessment income would be supplemented with interest income estimated at \$55,000, and income from export development and research subsidies from state and federal agencies estimated at \$102,000. In addition, the NAC had \$604,307 in uncontested reserves as of March 1, 1990, an amount well within the maximum authorized. Total income and available reserves will be sufficient to cover all anticipated 1990-91 expenditures, except for uncollected accounts (\$350,000). Uncollected contested reserves totalled \$503,806 as of March 1, 1990.

The Plum Commodity Committee (PLCC) met May 3, 1990, and recommended 1990-91 marketing order expenditures of \$3,909,913 and an assessment rate of \$0.22 per 28-pound package or equivalent. For comparison, budgeted 1989-90 fiscal year expenditures were \$3,154,353 and the assessment rate was \$0.21. Major expenditure categories projected for 1990-91 with budgeted 1989-90 expenditures in parenthesis are: salaries and employee benefits, \$217,846 (\$193,190); production research, \$56,589 (\$67,091); market development and promotion, \$2,040,275 (\$1,580,950); inspection, \$1,057,500 (\$1,078,000); and uncollected assessment accounts, \$350,000 (\$85,000). With the exception of a \$25,000 grant to the Pear Commodity Committee in recognition of the significant amount of staff time devoted to compliance efforts, the remaining expenses are for program administration.

The PLCC budget includes \$16,666 for the possible construction of production research facilities in California, but this type of expenditure is not authorized under the order. These budgeted funds may be used for other research recommended by the PLCC and approved by the Department.

The PLCC estimates available 1990-91 assessment income at \$2,854,600. This amount is based on assessments totaling \$3,229,600 (14,680,000 packages of assessable plums shipped at \$0.22 per 28-pound package), less \$375,000 in anticipated uncollected contested assessments. Assessment income would be supplemented with interest income estimated at \$35,000, and income from export development and research subsidies from State and Federal agencies estimated at \$315,000. In addition, the PLCC had \$451,765 in uncontested reserves as of March 1, 1990, an amount well within the

maximum authorized. Total income and available reserves will be sufficient to cover all anticipated 1990-91 expenditures, except for uncollected accounts (\$375,000). Uncollected contested reserves totalled \$576,622 as of March 1, 1990. Two members of the PLCC voted against the \$0.22 assessment rate. They favored a \$0.21 rate of assessment.

The Peach Commodity Committee (PCC) met May 3, 1990, and unanimously recommended 1990-91 marketing order expenditures of \$3,248,020 and an assessment rate of \$0.185 cents per 25-pound package or equivalent. For comparison, 1989-90 fiscal year expenditures were \$2,849,419 and the assessment rate was \$0.185 per 25-pound package or equivalent. Major expenditure categories projected for 1990-91 with budgeted 1989-90 expenditures in parenthesis are: Salaries and employee benefits, \$203,765 (\$182,282); consultant fees, \$4,000 (\$5,000); production research, \$60,682 (\$61,087); market development and promotion, \$1,629,895 (\$1,546,700); inspection, \$986,000 (\$864,000); and uncollected assessment accounts, \$185,000 (\$50,000). With the exception of a \$25,000 grant to the Pear Commodity Committee in recognition of the significant amount of staff time devoted to compliance efforts, the remaining expenses are for program administration.

The PCC budget includes \$16,667 for the possible construction of production research facilities in California, but this type of expenditure is not authorized under the order. These budgeted funds may be used for other research recommended by the PLCC and approved by the Department.

The PCC estimates available 1990-91 assessment income at \$2,595,550. This amount is based on assessments totaling \$2,780,550 (15,030,000 packages of assessable peaches at \$0.185 per 25-pound package), less \$185,000 in anticipated uncollected contested assessments. Assessment income would be supplemented with interest income estimated at \$45,000, and income from export development and research subsidies from State and Federal agencies estimated at \$135,000. In addition, the PCC had \$561,213 in uncontested reserves as of March 1, 1990, an amount well within the maximum authorized. Total income and available reserves will be sufficient to cover all anticipated 1990-91 expenditures, except for uncollected accounts (\$185,000). Uncollected contested reserves totalled \$228,377 as of March 1, 1990.

While this proposed action would impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be significantly offset by the benefits derived from the operation of the marketing orders. Therefore, the Administrator of the AMS has determined that this action would not have a significant economic impact on a substantial number of small entities.

Based on the foregoing, it is found and determined that a comment period of less than 30 days is appropriate because the levels of expenses and assessment rates for these programs should be expedited. The committees need to have sufficient funds to pay their expenses, which are incurred on a continuous basis.

List of Subjects in 7 CFR Parts 916 and 917

Marketing agreements, Nectarines, Peaches, Pears, Plums, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, it is proposed that 7 CFR parts 916 and 917 be amended as follows:

1. The authority citation for 7 CFR parts 916 and 917 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

PART 916—NECTARINES GROWN IN CALIFORNIA

2. A new § 916.228 is added to read as follows:

§ 916.228 Expenses and assessment rate.

Expenses of \$3,639,676 by the Nectarine Administrative Committee are authorized, and an assessment of \$0.18 per 25-pound package or equivalent of assessable nectarines is established for the fiscal year ending February 28, 1991. Any unexpended funds from the 1989-90 fiscal year may be carried over as a reserve.

PART 917—FRESH PEARS, PLUMS AND PEACHES GROWN IN CALIFORNIA

3. A new § 917.251 is added to read as follows:

§ 917.251 Expenses and assessment rate.

Expenses of \$3,909,913 by the Plum Commodity Committee are authorized, and an assessment of \$0.22 per 28-pound package or equivalent of assessable plums is established for the fiscal year ending February 28, 1991. Any

unexpended funds from the 1989-90 fiscal year may be carried over as a reserve.

4. A new § 917.252 is added to read as follows:

§ 917.252 Expenses and assessment rate.

Expenses of \$3,248,020 by the Peach Commodity Committee are authorized, and an assessment of \$0.185 per 25-pound package or equivalent of assessable peaches is established for the fiscal year ending February 28, 1991. Any unexpended funds from the 1989-90 fiscal year may be carried over as a reserve.

Dated: May 24, 1990.

William J. Doyle,

Associate, Deputy Director, Fruit and Vegetable Division.

[FR Doc. 90-12544 Filed 5-30-90; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Airspace Docket No. 89-ASO-37]

Proposed Establishment of Restricted Area R-2937; Florida

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to supplemental notice of proposed rulemaking; extension of comment period.

SUMMARY: This notice announces an extension of the comment period on a Supplemental Notice of Proposed Rulemaking (SNPRM) which proposes to establish Restricted Area R-2937 located in the vicinity of Venice, FL, to contain a tethered aerostat-borne radar surveillance system. Due to high interest in this proposal, we are extending the comment period from May 25, 1990, to June 29, 1990. In addition, this action corrects an error in the aerostat's location description found in the preamble to the SNPRM.

DATES: Comments must be received on or before June 29, 1990.

ADDRESSES: Send comments on the proposal in triplicate to:

Manager, Air Traffic Division, ASO-500, Docket No. 89-ASO-37, Federal Aviation Administration, P.O. Box 20626, Atlanta, GA 30320.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief

Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT:

Lewis W. Still, Airspace and Obstruction Evaluation Branch (ATP-240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-9250.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposals. Comments are specifically invited on the overall regulatory, aeronautical, economic and energy aspects of the proposal. Send comments on environmental and land use aspects to: Department of Treasury, U.S. Customs Service, Mr. Robert O. Holliday, Director, Research and Development Division, 1301 Constitution, NW, Washington, DC 20229; (202) 566-5371. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on the Correction to NPRM must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 89-ASO-37." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA Personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of the Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of

Public Affairs, Attention: Public Inquiry Center, APA-230, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3484.

Communications must identify the notice number of the document. Persons interested in being placed on a mailing list for future NRPM's should also request a copy of Advisory Circular No. 11-2A which describes the application procedure.

Background

Airspace Docket No. 89-ASO-37, published on September 29, 1989, [54 FR 40126] proposed to establish Restricted Area R-2937 in the vicinity of Venice, FL. An SNPRM, which was published on April 12, 1990 [55 FR 13804], changed the location description of the aerostat. An error was discovered in the aerostat's location description under the "Proposal" section of the SNPRM. The location, which is currently described as "lat. 27°13'30"N., long. 82°05'20"W.," should read "lat. 27°06'14"N., long. 82°00'47"W." This action corrects that error and also extends the comment period for an additional 30 days.

List of Subjects in 14 CFR Part 73

Aviation safety, Restricted areas.

Correction to SNPRM and Extension of Comment Period

Accordingly, pursuant to the authority delegated to me, the preamble of the supplemental notice of proposed rulemaking (Federal Register Document No. 90-8538) as published on April 12, 1990 [55 FR 13805], is corrected as follows:

In paragraph two, line nine, of the Proposal section [page 13805, column 2], removed coordinates "lat. 27°13'30"N., long. 82°05'20"W.," and substitute coordinates "lat. 27°06'14"N., long. 82°00'47"W.,"

Also, the comment period for Airspace Docket No. 89-ASO-37 is hereby extended from May 25, 1990, to June 29, 1990.

Authority: 49 U.S.C. 1348(a), 1354(a), 1510, 1522; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

Issued in Washington, DC, on May 23, 1990.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 90-12584 Filed 5-30-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

(IA-12-89)

RIN 1545-AN38

Like-Kind Exchanges; Additional Rules for Exchanges of Personal Property and for Exchanges of Multiple Properties

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to notice of proposed rulemaking.

SUMMARY: This document contains corrections to the notice of proposed rulemaking concerning like-kind exchanges (relating to amendments and additions under section 1031 of the Internal Revenue Code of 1986, as amended).

FOR FURTHER INFORMATION CONTACT: Christopher Rogers at 202-566-3297 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking provided rules for determining the applicability of section 1031 in an exchange of personal property, as well as rules for determining gain recognized and the basis of property received in an exchange of multiple properties under section 1031; and, the treatment of liabilities incurred by the taxpayer in anticipation of an exchange under section 1031 was clarified.

Need for Correction

As published, the notice of proposed rulemaking contains errors which may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of the notice of proposed rulemaking which was the subject of FR Doc. 90-9619, published April 26, 1990, is corrected as follows:

Par. 1. On page 17635, column 3, in the "DATES" portion of the preamble, the first sentence should read "These proposed regulations are proposed to be effective after publication of the final regulations in the Federal Register."

PART 1—[AMENDED]

§ 1.1031(a)-1 [Corrected]

Par. 2. On page 17638, column 3, in line 6 of § 1.1031(a)-2(b)(2), the language "and 00.4 of Rev. Proc. 87-56, 1978-2 C.B." should read "and 00.4 of Rev. Proc. 87-56, 1987-2 C.B.".

§ 1.1031(a)-2 [Corrected]

Par. 3. On page 17639, column 3, in line 19 of § 1.1031(a)-2(c)(1), the language "tangible personal property relates." should read "intangible personal property relates.".

§ 1.1031(f)-1 [Corrected]

Par. 4. On page 17641, column 1, in line 5 of § 1.1031(f)-1(b)(2)(iv), the language "exchange group surplus is the excess of" should read "exchange group deficiency, if any, must be determined. An exchange group surplus is the excess of".

§ 1.1031(f)-1 [Corrected]

Par. 5. On page 17641, column 2, in line 24 of § 1.1031(f)-1(c), the language "accordance with its fair value. The basis" should read "accordance with its fair market value. The basis".

§ 1.1031(f)-1 [Corrected]

Par. 6. On page 17641, column 3, in line 1 of § 1.1031(f)-1(d) Example 2(i), the language "F exchanges computer F" should read "F exchanges computer A".

§ 1.1031(f)-1 [Corrected]

Par. 7. On page 17641, column 3, in line 5 of § 1.1031(f)-1(d) Example 2 (i), the language "printed B (asset class 00.12) and automobile B" should read "printer B (asset class 00.12) and automobile B".

§ 1.1031(f)-1 [Corrected]

Par. 8. On page 17643, column 2, in line 3 of § 1.1031(f)-1(d) Example 4 (ii)(B), the language "are offset by all liabilities of which R is" should read "are offset by all liabilities of which B is".

Dale D. Goode,

Federal Register Liaison Officer Assistant Chief Counsel (Corporate).

[FR Doc. 90-12512 Filed 5-30-90; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 56 and 57

RIN 1219-AA14

Electrical Standards for Metal and Nonmetal Mines

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Extension of comment period.

SUMMARY: The Mine Safety and Health Administration (MSHA) is extending the period for public comment regarding the Agency's electrical standards for metal and nonmetal mines.

DATES: Written comments must be received on or before July 27, 1990.

ADDRESSES: Send comments to the Office of Standards, Regulations, and Variances, MSHA, room 631, Ballston Towers No. 3, 4015 Wilson Boulevard, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, MSHA, (703) 235-1910.

SUPPLEMENTARY INFORMATION: On December 4, 1989, MSHA published a proposed rule (54 FR 50158) revising the electrical standards for the metal and nonmetal mining industry. The comment period was scheduled to close on March 9, 1990. Due to several requests from the mining community, the Agency extended the comment period to June 15, 1990. Because of the complexity of the proposed rule, commenters have requested additional time to prepare their comments. All interested parties are encouraged to submit comments prior to the closing of the written comment period.

Dated: May 22, 1990.

John B. Howerton,

Deputy Assistant Secretary for Mine Safety and Health.

[FR Doc. 90-12506 Filed 5-30-90; 8:45 am]

BILLING CODE 4510-43-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD13 90-08]

Regatta; Richland, Washington, Annual Sunfest West Coast Championships

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: At the request of the city of Richland, Washington, Richland Sunfest Association and the Seattle Outboard Association, the Coast Guard is considering adopting Special Local Regulations for the Richland, Washington, Sunfest West Coast Championships. The permanent regulation would permit the closure of a section of the Columbia River from Mile 337 to Mile 339 between the hours of 9 a.m. PDT and 6 p.m. PDT on the third Friday, Saturday, and Sunday, in August each year. This proposal is designed to promote the safety of life and property of race participants and spectators on navigable waters during the event.

DATES: Comments must be received on or before 15 June 1990.

ADDRESSES: Comments should be mailed to Commander, U.S. Coast Guard Group, 6767 North Basin Avenue, Portland, Oregon 97217. The comments and other materials referenced in this notice will be available for inspection and copying at U.S. Coast Guard Group, 6767 North Basin Avenue, Portland, Oregon 97217, Mount Adams Building, room 3210. Normal office hours are between 7:15 a.m. and 3:45 p.m.; Monday through Friday except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: BMC F.L. Casanova, Port Management Branch, U.S. Coast Guard Marine Safety Office, 6767 North Basin Avenue, Portland Oregon 97217, (503) 240-9319.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this notice CGD13 90-08 and the specific section of the proposal to which their comments apply, and give the reasons for each comment. The regulations may be changed in light of comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The drafters of this notice are BMC F.L. Casanova, Project Officer, U.S. Coast Guard Group Portland, Oregon, and LT Deborah Schram, Project Attorney, Thirteenth Coast Guard District Legal Office.

Discussion of Proposed Regulations

During the past three years, the city of Richland, Washington, has served as the host city for the Sunfest West Coast Championship boat races. While these races were conducted safely in the past, they demonstrated that some refinement and modifications are both necessary and desirable. One such refinement involves the control of boat traffic around and through the race course during both the preparatory activities and the actual race. The city of Richland and the race's sponsors, the Sunfest Association and the Seattle Outboard Association, are now seeking Coast Guard assistance in maintaining traffic control by closing the affected section of the Columbia River, Mile 337 to Mile 339

in Richland, Washington, between the hours of 9 a.m. PDT and 6 p.m. PDT on the third Friday, Saturday, and Sunday in August each year. The Coast Guard is proposing to promulgate Special Local Regulations governing the Richland, Washington, Sunfest West Coast Championships (33 CFR 100.35). Any commercial traffic will be allowed to transit the area between races at the discretion of the Coast Guard Patrol Commander.

Economic Assessment and Certification

These proposed regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. These regulations will affect a short section of the Columbia River which has no known commercial traffic. The regulations will be in effect for only three (3) days, two (2) of those days being Saturday and Sunday. The Coast Guard Patrol Commander will allow any commercial traffic to transit the area between races.

Since the impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 100

Regattas and Marine Parades.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 100 of title 33, Code of Federal Regulations as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A permanent § 100.1305 is added to read as follows:

§ 100.1305 Richland, Washington, Sunfest West Coast Championships.

(1) *Regulated Area:* By this regulation, the Coast Guard will restrict general navigation on the waters of the Columbia River from River Mile 337 to River Mile 339 in Richland, Washington, between the hours of 9 a.m. PDT and 6 p.m. PDT on the third Friday, Saturday, and Sunday in August each year. This restricted area includes all waters

between the above mile marks and is approximately two (2) miles long.

(b) *Special Local Regulations:* (1) Persons or vessels (other than official vessels) shall not enter or remain in the regulated area described in paragraph (a) during the hours that this regulation is in effect. The Patrol Commander is empowered to control the movement of vessels in the regulated area described in paragraph (a) and the adjoining waters during the period this regulation is in effect.

(2) Patrol of the described area will be under the discretion of Commander, Coast Guard Group Portland, who will designate a Patrol Commander. The Patrol Commander will be embarked on the Coast Guard vessel on scene. The Patrol Commander is empowered to forbid vessels or persons from entering the regulated area described in paragraph (a) of this section during the hours this regulation is in effect.

(3) A succession of sharp, short signals by whistle, siren, or horn from vessels patrolling the area under the direction of the Patrol Commander shall serve as a signal to stop. Vessels or persons signaled to stop shall comply with the orders of the Patrol vessels; failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(c) *Effective Dates:* These regulations are effective on the third Friday, Saturday and Sunday in August each year, from 9 a.m. PDT to approximately 6 p.m. PDT.

Dated: 18 May 1990.

R.K. Peschel,

Acting Commander, Thirteenth Coast Guard District, U.S. Coast Guard.

[FR Doc. 90-12536 Filed 5-30-90; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 86

[AMS-FRL-3783-6]

Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines: Public Workshop on Specifications for Chassis Dynamometers

AGENCY: Environmental Protection Agency.

ACTION: Notice of public workshop.

SUMMARY: This notice announces a one day public workshop to discuss the specifications and design criteria for chassis dynamometers to be used in the

testing of passenger cars and light duty trucks for exhaust emissions and fuel economy. Topics will include load simulation, coupling of rolls, tire slippage, overall dimensions, protrusions above floor level, vehicle restraints, effects and control of environmental conditions, and noise and safety considerations. Information obtained from this workshop will be used in the development of specifications for new units to replace those currently in use by EPA at its Motor Vehicle Emission Laboratory in Ann Arbor, Michigan.

DATES: This workshop will be held on Thursday, June 21, 1990, from 9 a.m. to 4 p.m. Comments or presentation outlines are due by Friday, June 15, 1990.

ADDRESSES: The workshop will be held at the EPA Motor Vehicle Emission Laboratory in Ann Arbor, Michigan. Written comments or technical documents are welcome as they may pertain to the technical areas being considered. Some workshop time will be allotted for formal presentations. Any party wishing to comment or to make a short presentation should mail or deliver their material to the following location: Laboratory Engineering Branch, Engineering Operations Division, EPA Motor Vehicle Emission Laboratory, 2565 Plymouth Road, Ann Arbor, MI 48105.

FOR FURTHER INFORMATION CONTACT: C. Don Paulsell, P.E., Manager, Systems Development, Laboratory Engineering Branch, at the above address or at the following telephone numbers: (313) 668-4255 Office, (FTS) 374-8255 Office, (313) 668-4200 Receptionist, (313) 668-4268 FAX.

SUPPLEMENTARY INFORMATION: EPA processed an invitation for bids (IFB) on electric dynamometers in September 1989, but was unable to award a contract and subsequently canceled this IFB in April 1990. In October 1989, EPA participated in a correlation program to compare the performance and characteristics of the 20-inch electric and the 8.65-inch hydrokinetic dynamometers. A draft report is being finalized by the Government/Industry Dynamometer Task Group.

EPA has also been working on the development of a Cold Test Facility for future regulations. A dynamometer specification was issued as part of a package for the design and construction of this Cold Test Facility at MVEL. This specification restricted the size of the dynamometer to less than 16 feet in width and allowed no obstruction above the floor level. Furthermore, the

specifications called for one fixed twin roll set and one movable twin roll set so that all vehicles (front wheel drive, rear wheel drive and four wheel drive) are consistently positioned in the test cell air flow envelope. Environmental control of the dynamometer chassis for frictional stability and component protection was also specified. Several other topics, such as noise, safety, tire/roll slippage, vehicle restraint, undercarriage air management, and loading procedures are additional subjects for which EPA is soliciting comment and discussion at the workshop.

Dated: May 21, 1990.
Michael Shapiro,
Acting Assistant Administrator for Air and Radiation.

[FR Doc. 90-12620 Filed 5-30-90; 8:45 am]
BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 94

[PR Docket No. 90-260; FCC 90-189]

To Modify Grandfathering Provisions Governing Multiple Address Operations Under Part 94 of the Commission's Rules

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission proposes to amend § 94.65 of its Rules to modify grandfathering provisions relevant to licensees on the 900 MHz frequencies designated for multiple address system (MAS) operations. The proposed amendments would require all point-to-point licensees using the MAS frequencies to change frequencies designated for point-to-point use and all MAS licensees to bring their systems into compliance with current MAS channelization provisions in an effort to improve spectrum efficiency. The Commission proposes to amend § 94.92 as well to make it consistent with the proposed changes to § 94.65.

DATES: Interested persons may file comments on or before July 13, 1990, and reply comments on or before July 30, 1990.

ADDRESSES: Federal Communications Commission, 1919 M St., NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: F. Ronald Netro, Rules Branch, Land

Mobile and Microwave Division, Private Radio Bureau, (202) 634-2443.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking, PR Docket No. 90-260, adopted on May 7, 1990, and released May 18, 1990. The full text of the Notice is available for inspection and copying during normal business hours in the FCC Private Radio Bureau, Land Mobile and Microwave Division, Rules Branch (Room 5202), 2025 M Street, NW., Washington, DC. The complete text may also be purchased from the Commission's copy contractor, International Transcription Services, 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

Summary of Notice of Proposed Rulemaking

1. Pursuant to three "grandfathering" provisions adopted in 1975, 1981-82, and 1988, licensees on 900 MHz MAS frequencies operate according to several channelization and bandwidth regulations depending on the date their operations were authorized. These provisions have caused confusion among licensees and may be contrary to the public interest because they hamper spectrum efficiency.

2. Accordingly, the Commission has proposed to modify the 1975 and 1981-82 grandfathering provisions. The proposals would, among other things, require point-to-point operations, which are incompatible with multiple address systems, to be moved from the 952-953 MHz band to increase the availability of channels for MAS operations. Additionally, point-to-multipoint licensees on the MAS frequencies would be required to conform their operations to the current provisions set forth in 47 CFR 94.65(a)(1). Systems licensed before August 1, 1975, would, however, be given five years from the date of adoption of the final order in this proceeding to either move to other frequency bands or modify their systems such that they comply with the current provisions of § 94.65. Licensees that received authorization between August 1, 1975 and January 1, 1981, must already comply with the provisions of § 94.65 by January 1, 1991. The Commission has not proposed to modify the provisions governing these licensees. Finally, the Commission has proposed to continue grandfathering indefinitely multiple address systems licensed after January 1, 1981, using channels with bandwidths up to 50 kHz.

3. The Commission requests comments on whether it should review

the spectrum requirements of existing MAS licensees licensed after January 1, 1981 in light of the current channeling plan. A suggested option may be to conduct reviews as part of these stations' next license renewals. In addition, comments are requested regarding all aspects of these proposals, including information on the number of systems that will be affected, the potential costs of modifying these systems to meet the new standards, the benefits in terms of spectrum efficiency that would result from the proposed changes, the appropriate timeframe for requiring adherence to the standards adopted.

4. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 604, an initial regulatory flexibility analysis has been prepared. It is available for public review as part of the full text of this document.

5. The proposals contained herein have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection and/or recordkeeping, labeling, disclosure or record retention requirements. Some licensees would be required to modify their licenses to operate on different frequencies.

List of Subjects in 47 CFR Part 94

Radio, Private operational-fixed microwave service.

Proposed Rule Changes

PART 94—[AMENDED]

Part 94 of title 47 of the Code of Federal Regulations is proposed to be amended as follows:

1. The authority citation would continue to read as follows:

Authority: Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303, unless otherwise noted.

2. Section 94.65 is proposed to be amended by revising the introductory paragraph and paragraph (a)(1) introductory text to read as follows:

§ 94.65 Frequencies.

Frequencies normally available for assignment in this service are set forth with applicable limitations in the following tables:

(a) **928–960 MHz.** (1) Multiple Address System frequencies. Multiple address system (MAS) frequencies are available for the point-to-multipoint transmission of a licensee's products or services, excluding video entertainment material, to a licensee's customer or for its own internal communications. The paired frequencies listed in this section shall be

used for two-way interrogate/response communications between a master station and remote stations. Each master station operating on one of the paired channels is required to serve a minimum of four separate active remote stations. Ancillary one-way communications on paired frequencies are permitted on a case-by-case basis.

Ancillary communications between interrelated master stations are permitted on a secondary basis. The normal bandwidth assigned will be 12.5 kHz. Upon adequate justification, however, additional contiguous channels may be authorized to provide up to a 50 kHz bandwidth. Tables 2, 4, and 6 list frequencies with 25 kHz bandwidth. When licensed for a larger bandwidth, the system still is required to use equipment which meets the ± 0.00015 percent tolerance requirement. (See § 94.67(a)). Systems licensed after January 1, 1981, on channels with bandwidths up to 50 kHz will be grandfathered indefinitely. Systems licensed between August 1, 1975 and January 1, 1981 may continue to operate as licensed until January 1, 1991, at which time they must comply with the provisions of this section. Systems licensed prior to August 1, 1975 may continue to operate as authorized until [five years from the date of adoption of the Report and Order in this proceeding] at which time they must comply with the requirements set forth in this paragraph.

3. Section 94.92 is proposed to be amended by revising the introductory paragraph to read as follows:

§ 94.92 Technical standards for stations authorized prior to July 1, 1976.

Except as otherwise required by § 94.65(a)(1), the technical standards indicated in the table in this section apply to private microwave systems using the frequency bands above 952 MHz listed in the table and which were authorized prior to July 1, 1976, but after July 20, 1961. These standards shall not be applicable to transmitting equipment, including antennas, which was authorized to be operated on these frequencies prior to July 20, 1961, or for which an authorization was issued based on an application filed with the Commission prior to July 20, 1961.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 90-12562 Filed 5-30-90; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 81-2; Notice 7]

RIN 2127-AD35

Federal Motor Vehicle Safety Standards Lamps, Reflective Devices, and Associated Equipment

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes that multipurpose passenger vehicles, trucks, and buses, whose overall width is less than 80 inches, and whose GVWR is 10,000 pounds or less, be equipped with a center highmounted stop lamp. This lamp has been required on passenger cars manufactured on or after September 1, 1985. The agency has tentatively decided that similar crash-reduction, and crash-severity reduction benefits, would be attainable by extension of this requirement to other motor vehicles. The requirements would be identical to those for passenger cars, except that the lamp would be placed on the vertical centerline of the vehicle at any height between 34 and 84 inches from the road surface.

DATES: The comment closing date for the proposal is July 30, 1990. The effective date for the final rule would be September 1, 1992. Any request for an extension of time in which to comment must be received not later than 10 days before the published expiration date of the comment period.

ADDRESSES: Comments should refer to the docket number and the notice number, and be submitted to: Docket Section, room 5109, Nassif Building, 400 Seventh St., SW., Washington, DC 20590 (Docket hours are from 9:30 a.m. to 4 p.m.)

FOR FURTHER INFORMATION CONTACT: Kevin Cavey, Office of Rulemaking, NHTSA (202-366-5271).

SUPPLEMENTARY INFORMATION:

The Safety Need for Reduction in Rear End Collisions

Because of the growing use of vehicles other than passenger cars, such as multipurpose passenger vehicles and light trucks, NHTSA is reviewing the Federal motor vehicle safety standards applicable to passenger cars, and is extending some of them to other vehicles with a gross vehicle weight rating (GVWR) of 10,000 pounds or less.

In its Report to the Committees on Appropriations to the Congress, titled *Safety Programs for Light Trucks and Multipurpose Passenger Vehicles*, April 1988, the agency concluded that the fatality rate for all light trucks is not appreciably different from the fatality rate for passenger cars, but that small pickups and multipurpose vehicles showed higher fatality rates than the average light duty vehicle. Further, the fatality rate for vans, including minivans, is close to that of large cars. This suggests that the crash environment and experience, including that of rear end collisions, in vehicles other than passenger cars is similar to that of passenger cars and can be reduced.

The agency's standards on hydraulic brake systems (Standard No. 105), brake hoses (Standard No. 106), brake fluids (Standard No. 116), and air brake systems (Standard No. 121), are related to the safety need to reduce collisions. Its standard on fuel system integrity (Standard No. 301), assists in reducing the severity of the consequences of rear end collisions once they occur. NHTSA notes with interest that in the 22 years since the initial Federal safety standards became effective, fatalities in rear end accidents have dropped substantially, from 2400 to 1500 a year, even though the number of rear end collisions have risen dramatically, from 3,800,000 to 5,370,000 (Accident Facts, 1968 edition, p. 46, and 1989 edition, p. 56).

In addition, NHTSA has given attention to stop signals in its effort to reduce rear end accidents. Safety Standard No. 108, Lamps, Reflective Devices, and Associated Equipment (49 CFR 571.108), presently requires motor vehicles to be equipped with two stoplamps, mounted on the rear, one on each side of the vertical centerline, as far apart as practicable, and at the same height, which is not less than 15 inches nor more than 72 inches above the road surface.

In an effort to reduce rear end collisions by providing a more effective indication to following drivers that the vehicle ahead is slowing or stopping, the agency conducted research in the late 1970's that indicated that the addition of a single stoplamp in the vicinity of the rear window on the vertical centerline of passenger cars, would result in a substantial lessening of rear end collisions, and the severity of those collisions that did occur. As a result of this research, passenger cars manufactured on and after September 1, 1985, have been required to be equipped with a center highmounted stoplamp. A detailed description of this research,

and the rulemaking leading to the requirement may be found in the preamble to the final rule published on October 18, 1983 (48 FR 48235). The most recent follow-up study (DOT HS 807 442 "An Evaluation of Center High Mounted Stop Lamps Based on 1987 Data") indicates that center-lamp-equipped cars are 17 percent less likely to be struck in the rear while braking than cars without the lamp.

Interested in learning whether a similar reduction might occur if vehicles other than passenger cars were equipped with center highmounted stop lamps, NHTSA contracted with the National Public Services Research Institute, to conduct a study with respect to pickup trucks, mini vans, full size cargo type vans, and trucks with roll-back doors. A final report was rendered in May 1989, "The Effect of the Center High Mounted Stop Lamp on Vans and Trucks" (DOT HS 807 506). This report has been placed in the docket. The results of this study showed an average improvement in reaction time of 0.09 second when the center lamp was used. In a related experiment with a passenger car equipped with the lamp, the reduction in reaction time was 0.11 second. NHTSA assumes that there is no statistically significant difference between the 0.11 second reduction in response time for passenger cars and the 0.09 second reduction in response time for vans/light trucks, indicating that the center lamp would also be effective when installed on vehicles other than passenger cars. The agency seeks comment on whether these results indicate further that the level of crash prevention effectiveness of CHMSL's installed on light trucks would be similar to that found for passenger car CHMSL's.

Location of the Lamp on Vehicles Other Than Passenger Cars

On passenger cars, the center highmounted stop lamp is located on the vehicle's vertical centerline, not lower than 3 inches below the rear window. In the NHTSA study of vehicles other than passenger cars, two alternative locations were chosen for each vehicle type tested. On the pickup truck involved in the study, one location of the lamp was centered at the top of the cab, and the other had the lamp centered at the top of the tailgate (this was a Dodge Ram vehicle, mid-size, without a cap). The minivan was a Ford Aerostar, with one location of the lamp centered on the roof line, and with the other location of the lamp centered below the rear window. A Ford Econoline without a rear window served as the full-size cargo van. The alternative lamp

locations for this type of vehicle were centered at the eye level of a following driver, and at a point centered halfway between the height of the stop lamps, and the roof line. On the straight truck with a roll-back door, a lamp was centered halfway between the road surface and the top of the vehicle. The other configuration was two lamps, one at each side of the vehicle, at the same height halfway between the road surface and the height of the vehicle.

The agency asked several manufacturers of light trucks to comment on potential locations for the lamp. Nissan commented that the lamps should be installed near or on the roof. Mazda suggested that there could be as many as four installation locations for pickups, including the upper part of the rear window, and between the roof and rear window. Chrysler argued that no location was acceptable for pickups, as well as expressing concern that a high position might interfere with the identification lamps that are used to indicate wide vehicles. Grumman Olson provided detailed comments on all types of vehicles. When all the comments were collated, no consensus emerged on a location for any type of vehicle. There appear to be so many configurations of vehicles whose overall width is 80 inches or less and whose GVWR is 10,000 pounds or less that the requirements cannot be specific. General Motors, however, provided a recommendation that afforded a basis for this proposal: that a broad specification be adopted, allowing the center of the lens to be mounted at any point on the centerline from 34 to 84 inches above the road surface. The agency is proposing this general requirement for the location of the lamp. The agency believes that a minimum specification of 34 inches would enable manufacturers to install the lamp on certain vehicles where higher locations would not be practicable, and yet assure that the lamp would not be mounted much below the eye level of most drivers. NHTSA notes that vans of standard size manufactured by Ford, GM, and Chrysler are approximately 80 inches in height. With a maximum mounting height specification of 84 inches, manufacturers could install the center lamp above double rear doors on vehicles with such a rear configuration; in fact, this might be the most practicable location for the lamp. However, at such a height, it may be necessary to propose additional photometric specifications for downward visibility of the lamp. At present, there is a photometric requirement only for 5 degrees down.

Given the probability that lamps on vehicles other than passenger cars may be mounted at a greater height than on passenger cars, a photometric requirement for 10 degrees down, and even 15 degrees down, may be justified. NHTSA invites specific comments on this point. The agency appreciates that problems may emerge with complex designs for which even this general specification might not allow a satisfactory location, and the agency is interested in receiving specific comments in this area.

The agency is also concerned that additions such as a cap to a new or used pickup truck could render the center lamp ineffective. Such an addition could also violate the National Traffic and Motor Vehicle Safety Act. If a cap were added to a pickup before its first sale for purposes other than resale and that cap rendered the center lamp noncompliant, the dealer selling the pickup would be liable for a civil penalty. If the cap were added to a pickup, after its first sale, by a vehicle manufacturer, distributor, dealer or vehicle repair business, so as to knowingly render the lamp partially or wholly inoperative, that individual or business also would be liable for a civil penalty. In view of the agency's concern about the potential reduction in benefits as a result of such installations, NHTSA seeks comments on the types of additions made to completed pickup trucks that could interfere with the center lamp; whether those additions are typically made to new or used vehicles; whether those additions are typically made to new or used vehicles; whether those additions are typically made by vehicle dealers, cap dealers, repair businesses, vehicle owners, etc.; and the estimated percentage of pickup trucks that are likely to be equipped with caps at some point during their lifetime.

In commenting on the locational aspects of this proposal, manufacturers are asked to keep in mind the reasons why the center lamp appears to have been effective in reducing rear end collisions for passenger cars: It provides an unambiguous stop signal; it is in the line of sight of following drivers; it creates a triangular effect, or cue, to the eye; and it is higher than the stop lamps mounted on each side of the vehicle. The configuration of vehicles other than passenger cars may differ in some respects. For example, the stop lamps may be mounted higher than on passenger cars, and in some instances on a horizontal plane with a prospective center lamp, thus creating a linear rather than triangular effect.

Proposed Effective Date

In its NPRM on passenger car center lamps, the agency proposed an effective date approximately 2½ years after the issuance of the proposal, allowing two full model years for manufacturers to achieve compliance. It believes that installation of the lamp on some designs of multipurpose passenger vehicles and buses may be no less complex. Accordingly, it is tentatively found that good cause is shown for an effective date of the final rule later than 180 days after its issuance. It is proposed that the effective date be September 1, 1992.

Impacts

NHTSA has considered the impacts of this rulemaking action and has determined that it is major within the meaning of Executive Order 12291 "Federal Regulation," and significant under Department of Transportation regulatory policies and procedures. The agency has estimated that a center highmounted stop lamp would add about \$11 dollars to the lifetime cost of owning and operating a vehicle that is presently not so equipped. The annual consumer cost of this proposed requirement is estimated to be \$56 million. When all vehicles covered by the proposal are equipped with the lamp, NHTSA estimates a rear-end accident reduction in the range of 77,000 to 109,000 crashes, and a corresponding reduction in injuries of 25,000 to 35,000. In addition, property damage costs could be reduced by \$122 to \$175 million. The agency has prepared a Preliminary Regulatory Impact Analysis and placed it in the docket. In the Preliminary Regulatory Impact Analysis, NHTSA adjusted the benefits to account for the fact that, by 1992, head restraints will be required on light trucks, thereby reducing injuries. The agency seeks comments on whether the adoption of other federal motor vehicle safety standards such as automatic restraint systems and roof-crush standards require further adjustments to the benefits associated with CHMSLs.

NHTSA has analyzed this proposal for purposes of the National Environmental Policy Act. It is not anticipated that a rule based on the proposal would have a significant effect upon the environment as the increase in materials required by the manufacture of the lamp is not deemed significant.

The agency has also considered the effects of this proposal in relation to the Regulatory Flexibility Act. I certify that this proposal would not have a significant economic effect upon a substantial number of small entities. Lamp and vehicle manufacturers are

generally not small businesses within the meaning of the Regulatory Flexibility Act. Furthermore, small organizations and governmental jurisdictions would not be significantly affected as the price of new vehicles should not be impacted. Accordingly, no Regulatory Flexibility Analysis has been prepared.

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 "Federalism," and it has been determined that the proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Interested persons are invited to submit comments on the proposal. Please submit 10 copies of written comments and 2 copies of films, tapes, and other materials. All comments must be limited not to exceed 15 pages in length (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the docket section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation (49 CFR part 512).

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose, in the envelope with their comments, a self-

addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

The engineer and attorney principally responsible for development of this proposal are Kevin Cavey and Taylor Vinson, respectively.

List of Subjects in 49 CFR Part 571

Imports, motor vehicle safety, motor vehicles.

PART 571—[AMENDED]

In consideration of the foregoing, it is proposed that 49 CFR part 571 be amended as follows:

1. The authority citation for part 571 would continue to read as follows:

Authority: 15 U.S.C. 1392, 1407; delegations of authority at 49 CFR 1.50 and 501.8.

2. The introductory text of S5.1.1.27 in § 571.108 would be revised to read:

§ 571.108 Standard No 108; Lamps, reflective devices, and associated equipment

S5.1.1.27 Each passenger car manufactured on or after September 1, 1985, and each multipurpose passenger vehicle, truck, and bus, whose overall width is less than 80 inches, and whose GVWR is 10,000 pounds or less, manufactured on or after September 1, 1992, shall be equipped with a highmounted stop lamp which:

3. In the first sentence of S5.3.1.8 in § 571.108, the words "of the passenger car as the car is viewed from the rear" are revised to read "of the vehicle as the vehicle is viewed from the rear".

4. In the second column of Table III in § 571.108 for the item "High-mounted stop lamp", the text "1 red, for passenger cars only" would be revised to read "1 red".

5. In the second column of Table IV in § 571.108 for the item "High-mounted stop lamp", the text "On the rear, on the vertical centerline [See S4.3.1.8], effective September 1, 1985, for passenger cars only" would be revised to read "On the rear, on the vertical centerline [See S5.1.1.27, S5.3.1.8, and Table III]."

6. In the fourth column of Table IV in § 571.108 for the item "High-mounted stop lamp", the text "[See S4.3.1.8]" would be revised to read "See S5.3.1.8 for passenger cars. Not less than 34 inches, nor more than 84 inches for multipurpose passenger vehicles, trucks, and buses."

Issued on: May 24, 1990.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 90-12534 Filed 5-25-90; 3:07 pm]

BILLING CODE 4910-59-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 216

[Docket No.: 900405-0105]

RIN 0648-AD39

Marine Mammals; Atlantic Bottlenose Dolphins

AGENCY: National Marine Fisheries Service, Commerce.

ACTION: Advance notice of proposed rulemaking and request for comments.

SUMMARY: The National Marine Fisheries Service (NMFS) has determined that it will initiate a rulemaking proceeding to issue regulations establishing a procedure for setting and revising quotas to govern the removal of Atlantic bottlenose dolphins (*Tursiops truncatus*) from the waters of the Gulf of Mexico and Florida east coast. This advance notice of proposed rulemaking requests comments on the procedure NMFS should specify in the regulations it proposes. These regulations will be supported by an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA), which will provide a comprehensive review of the status of stocks, the live capture, incidental take and other forms of human-induced mortality of bottlenose dolphins in the southeast region, and the current procedure which allows an annual take of 2% of the minimum population level from each quota area. NMFS is also requesting public comments as part of the scoping required by NEPA for the EIS. Meanwhile, NMFS has established an interim policy reducing the number of bottlenose dolphins to be removed from the wild in that region. For a document announcing the reduced interim quota see the Notice of Interim Policy published elsewhere in this issue. However, NMFS has suspended implementation of the interim policy for Gulf of Mexico collection areas pending a review of the circumstances surrounding the deaths of over 250 (as of April 1) bottlenose dolphins since January 1, 1990, along the Texas, Louisiana, Mississippi, Alabama and Florida Gulf of Mexico coasts. The interim policy is published in the

Notices section of today's Federal Register.

DATES: Comments must be submitted on or before July 2, 1990.

ADDRESSES: Send comments to Nancy Fosher, Ph.D., Director, Office of Protected Resources, National Marine Fisheries Service, NOAA, 1335 East-West Highway, room 7324, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Wanda L. Cain, Permit Division, Office of Protected Resources, 301/427-2289.

SUPPLEMENTARY INFORMATION: This advance notice of proposed rulemaking is based on a recently completed review and study of quota recommendations for removals of bottlenose dolphins in southeastern U.S. waters. The following excerpt summarizes the system that has been used for managing bottlenose dolphins in the southeast:

"Since the inception of the Marine Mammal Protection Act (MMPA) of 1972, over 500 bottlenose dolphins (*Tursiops truncatus*) have been permanently removed from the wild gene pool in southeastern U.S. waters for public display and scientific research purposes. According to Leatherwood and Reeves (1983) the live-capture fishery in the southeast dates to at least 1914 and is thought to be the longest sustained fishery of its type in the world. At least 1,170 bottlenose dolphins have been removed from the southeastern U.S. since the early 1900's (Leatherwood and Reeves 1983). The magnitude of annual removals due to other human-induced causes such as incidental catch in other fisheries and shooting of nuisance dolphins is not well documented (Scott et al. 1988) * * *.

"The history of the current management procedure for bottlenose dolphin live-capture management has been described in Scott (in press) and Powers (1984). The Secretary of Commerce, pursuant to section 101(a)(1) of the Marine Mammal Protection Act (MMPA), after review by the Marine Mammal Commission (MMC) and its Committee of Scientific Advisors on Marine Mammals, is empowered to grant permits for the taking of marine mammals for the purposes of scientific research and public display * * *. Implementation of the MMPA restricted the take of bottlenose dolphins (and other marine mammal species) for research and in 1977 a quota system was developed for bottlenose dolphins in southeastern waters * * *.

"The geographically-based management scheme provided for 7 Management Areas, defined by historical regions of capture (Florida

East Coast, Florida Keys, Florida West Coast, Florida Panhandle, Mississippi, Texas Coast, and 'Other' areas). The management scheme that was first recommended by the Marine Mammal Commission and adopted by the Secretary was based on a quota system which limits annual removal from the wild dolphin populations to not more than 2% of the minimum estimated number of bottlenose dolphins in any management area. The basic assumptions upon which this management recommendation was developed included firstly that estimates of maximum annual net recruitment for cetacean stocks ranged from 2% to 6%. The 2% figure was used as a conservative guideline for establishing quotas in the absence of an accepted estimate of maximum net productivity for a particular stock. Secondly, it was

assumed that each management area or subarea represented the range for a unit stock of dolphins. Given a lack of data available to test these assumptions, it was viewed that this conservative management scheme was the best option." (Draft "Quota Recommendations for Removals of Bottlenose Dolphins in Southeastern U.S. Waters" Staff, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, March 1989).

NMFS intends to initiate a rulemaking proceeding to establish a procedure for setting and revising new quotas. Regulations will be supported by an EIS that will provide a comprehensive review of the status of stocks of bottlenose dolphins in the southeast region and the validity of the 2% rule for determining the allowable take to the

extent reliable data is available. These regulations and quotas will take into account other types of takings such as those which may occur incidentally to commercial fisheries. NMFS is requesting comments on the procedure for setting and revising quotas, including comments on the status of stocks, the live capture, the incidental take and other forms of human-induced mortality of bottlenose dolphins in the southeast region, and the allowance of an annual take of 2% of the minimum population level from each quota area. Comments are also requested as part of the scoping for the EIS.

Dated: May 24, 1990.

William W. Fox, Jr.,

Assistant Administrator for Fisheries,
National Marine Fisheries Service.

[FR Doc. 90-12539 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

Notices

Federal Register

Vol. 55, No. 105

Thursday, May 31, 1990

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Agriculture Biotechnology Research Advisory Committee Meeting

In accordance with the Federal Advisory Committee Act of October 1972 (Pub. L. No. 92-463, 86 Stat. 770-776), the U.S. Department of Agriculture (USDA), Science and Education, announces the following advisory committee meeting:

Name: Agriculture Biotechnology Research Advisory Committee

Date: June 21-22, 1990.

Time: 9:00 to approximately 5 p.m. on June 21 9 a.m. to approximately 3 p.m. on June 22.

Place: American Institute of Aeronautics and Astronautics, 370 L'Enfant Promenade, SW., Conference Room A, 10th Floor, Washington, DC 20024.

Type of Meeting: This meeting is open to the public. Persons may participate in the meeting as time and space permit.

Comments: The public may file written comments before or after the meeting with the contact person specified below.

Purpose: To review matters pertaining to agricultural biotechnology research and to develop advice for the Secretary through the Assistant Secretary for Science and Education with respect to policies, programs, operations and activities associated with the conduct of agricultural biotechnology research. The major item to be considered at this meeting is the plan for conducting scoping sessions (hearings) and preparation of a subsequent draft environmental impact statement (EIS) for the USDA Guidelines for Research with Genetically Modified Organisms Outside Contained Facilities.

Contact Person: Dr. Alvin L. Young, Executive Secretary, Agricultural Biotechnology Research Advisory Committee, U.S. Department of Agriculture, Office of Agricultural Biotechnology, Room 321-A, Administration Building, 14th and Independence Avenue SW., Washington, DC 20250. Telephone (202) 447-9165.

Done at Washington, DC, this 14th day of May 1990.

Charles E. Hess,

Assistant Secretary, Science and Education.

[FR Doc. 90-12597 Filed 5-30-90; 8:45 am]

BILLING CODE 3410-22-M

Foreign Agricultural Service

Import Limitation; Country of Origin Quota Adjustment

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice of country of origin adjustment for certain condensed milk from Denmark.

SUMMARY: This notice adjusts the country of origin for the quota quantity of condensed milk in airtight containers assigned to Denmark.

EFFECTIVE DATE: June 4, 1990.

FOR FURTHER INFORMATION CONTACT: Richard P. Warsack, Import Control Manager, Import Policies and Trade Analysis Division, Foreign Agricultural Service, room 6622 South Building, Department of Agriculture, Washington, DC 20250-1000 or telephone at (202)447-5270.

SUPPLEMENTARY INFORMATION: This notice has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be "nonmajor" since it will not have any of the significant effects specified in those documents. Furthermore, to the extent, if any, that the provisions of the Regulatory Flexibility Act (5 U.S.C. 601) apply to this notice, the Administrator, Foreign Agricultural Service, hereby certifies that this notice will not have a significant economic impact on a substantial number of small entities. The adjustment of the country of origin from which the quota article specified herein may be entered does not affect the ability of importers to import this quota article but only permits the unused quota quantity of the article allocated to Denmark to be imported from other countries. Also, since this action is being taken in recognition of changes in the market which have already occurred, this action will not cause any new economic impact.

Notice

Subchapter IV of chapter 99 of the Harmonized Tariff Schedule of the

United States (HTS) sets forth import limitations imposed on certain dairy products, including certain condensed milk. Note 3(a)(iii) of subchapter IV of chapter 99 of the HTS permits the reallocation of the quota quantity of a dairy article listed in chapter 99 among the countries of origin specified for a given article if it is determined that the quota quantity assigned to a particular country is not likely to be entered from that country within a given calendar year. I hereby determine that it is not likely that the quantity of condensed milk in airtight containers specified in HTS subheading 9904.10.06 for Denmark will be entered from that country during calendar year 1990.

Notice is hereby given that the 1990 unused quota quantity for condensed milk in airtight containers specified in HTS subheading 9904.10.06 for Denmark may be imported from Australia, Canada, Denmark and the Netherlands for the remainder of the 1990 quota year.

This quota quantity for HTS subheading 9904.10.06 will revert to the original supplying country on January 1, 1991.

Issued: May 14, 1990.

R.E. Anderson, Jr.,

Administrator, Foreign Agricultural Service.

[FR Doc. 90-12625 Filed 5-30-90; 8:45 am]

BILLING CODE 3410-10-M

Forest Service

Additions to the Alpine Lake Wilderness, Mt. Baker-Snoqualmie National Forest, King County, Washington

AGENCY: Forest Service, USDA.

ACTION: Notice of legal boundary.

SUMMARY: Provides the boundary description for 3 parcels of intended wilderness that have been acquired and added to the Alpine Lakes Wilderness. This action is necessary to formalize the acquisition of the intended wilderness parcels and their corresponding boundary descriptions.

ADDRESSES: Copies of the boundary description are available for public inspection upon request at USDA, Forest Service, PNW Region, Department of Recreation, 319 SW Pine Street, P.O. Box 3623, Portland, OR 97208.

FOR FURTHER INFORMATION CONTACT:

David Odahl at Mt. Baker-Snoqualmie National Forest, 1022 First Avenue, Seattle, WA 98104, phone (206) 442-1083. Maps of the Alpine Lakes Wilderness with the acreage additions are available.

SUPPLEMENTARY INFORMATION:

In accord with the provisions of section 3 (d) and (e) of the Alpine Lakes Area Management Act of 1976, Public Law 94-357, notice is hereby given of the following additions to the Alpine Lakes Wilderness. The land parcels described here were all acquired by August 20, 1987. All metes and bounds descriptions between the below stated angle points are as described in the legal description of the Alpine Lakes Wilderness and Intended Wilderness boundaries on file in the office of the Chief, USDA, Forest Service in Washington, DC.

T. 22 N., R. 10 E., W.M. Sections 1 and 2; section 3, that portion north and east of a prominent ridge that passes through Hi Valley and Bandera Mountain; section 4, that portion north of a prominent ridge that passes through Hi Valley and Bandera Mountain; and section 5, that portion north of a prominent ridge that passes through Bandera Mountain.

T. 22 N., R. 11 E., W.M. Section 6, that portion northwest of a line running between angle points 98-4 and 98-5.

T. 23 N., R. 10 E., W.M. Section 1; section 2, that portion south and east of a line running between angle points 98-23 and 98-24; section 3, that portion south and east of a line running between angle points 98-22, 98-23 and 98-24; section 10, that portion east of a line running between angle points 98-22 and 98-23; sections 11, 12, 13, 14; section 15, that portion east of a line running between angle points 98-21, 98-22 and 98-23; section 22, that portion east of a line running between angle points 98-21 and 98-22; sections 23, 24, 25, 26; section 28, that portion south and west of a line running between angle points 98-16, 98-17, 98-18 and 98-19; section 29, that portion south of a line running between angle points 98-14 and 98-15; section 30, that portion north and east of a line running between angle points 98-9, 98-10, 98-11, 98-12, 98-13 and 98-14; section 31, that portion south of a line running between angle points 98-9 and 98-10; sections 31, 33, 34, 35, 36.

T. 23 N., R. 11 E., W.M. Section 30, that portion southwest of a line running between angle point 98-1, Bryant Peak (98-2), The Tooth (98-3) and along the ridge of Denny Mountain; section 31, that portion south and west of the ridge of Denny Mountain; section 32, that portion west of a line running along the ridge of Denny Mountain to angle point

98-4, thence southwesterly toward angle point 98-5. The above described Pratt Lake Parcel contains in all 16,369 acres, more or less.

T. 24 N., R. 10 E., W.M. Section 11, that portion east and south of a line running along the 2000 foot contour line between angle points 123 and 126; section 12, that portion south of a line running along the 2000 foot contour line between angle points 123 and 126; section 13, that portion east and south of a line running along the 2000 foot contour line between angle points 123 and 126; section 14, that portion south of a line running along the 2000 foot contour line between angle points 123 and 126; section 15, that portion south and east of a line running along the 2000 foot contour line between angle points 123 and 126; section 22, that portion northeast of a line running along the 2000 foot contour line between angle points 123 and 126; section 23, that portion north of a line running along the 2000 foot contour line between angle points 123 and 126. The above described Taylor River Parcel contains 2,488 acres, more or less.

T. 24 N., R. 10 E., W.M. Section 1, that portion north of a line running between angle points 132 and 132-1; section 2, that portion north of a line running between angle points 132-1 and 132-3; section 3, that portion north of a line running between angle points 132-2 and 132-3; section 4, that portion north of a line running between angle points 132-2 and 132-3; section 5, that portion north of a line running between angle points 132-2 and 132-3; section 6, that portion north of a line running between angle points 132-2 and 132-3; section 8, that portion north of a line running between angle points 132-2 and 132-3; section 10, that portion north of a line running between angle points 132-2 and 132-3.

T. 25 N., R. 9 E., W.M. Section 24, 25, 26, 35, 36. The above described Sunday Creek Parcel contains in all 6,227 acres, more or less.

The above described lands total, in aggregate, 25,084 acres, more or less. Some of the lands in the Sunday Creek and Taylor River Parcels effectively became part of the National Forest System on March 25, 1983. The remainder of the lands in the Sunday Creek and Taylor River Parcels and the entire Pratt Lake Parcel became part of the National Forest System on August 20, 1987. All of the lands in the Sunday, Creek, Taylor River, and Pratt Lake Parcels became part of the Alpine Lakes Wilderness on August 20, 1987.

Dated: May 22, 1990.

Richard A. Ferraro,

Acting Regional Forester.

[FR Doc. 90-12601 Filed 5-30-90; 8:45 am]

BILLING CODE 3410-11-M%

Collection of Information in Study of Aircraft Flight Over Wilderness

AGENCY: Forest Service, USDA.

ACTION: Notice; proposed information collection.

SUMMARY: Under the procedures of 5 CFR 1320.17, the Forest Service has submitted a proposed information collection request to the Office of Management and Budget (OMB) for expedited clearance. The information would be collected as part of a Forest Service study on aircraft overflight in wilderness. The agency and OMB solicit comments on this submission. The study for which the information is needed results from the National Park Aircraft Overflight Act.

DATES: Clearance has been requested from OMB by June 29, 1990, in order to allow collection of the information during this field season. Comments must be sent to OMB no later than June 22, 1990.

ADDRESSES: Refer to the proposal by name and send comments in writing to: Adam Diamant, Forest Service Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503. Copies of comments may also be sent to: Andrea Fowler, Information Systems Staff, USDA Forest Service, P.O. Box 96090, Washington, DC 20090-6090.

FOR FURTHER INFORMATION CONTACT: Lawrence A. Hartmann, USDA Forest Service, Intermountain Research Station, (406) 721-5694, ext. 135.

SUPPLEMENTARY INFORMATION: The National Park Aircraft Overflight Act (16 U.S.C. 1a-1) contains a section that directs the Chief of the Forest Service to conduct an assessment to determine what, if any, adverse impacts to wilderness resources are associated with aircraft overflights of National Forest System Wilderness. As part of this determination, the Forest Service wants to administer a set of three surveys to users of Forest Service Wildernesses during the summer and fall of 1990 to determine the adverse impacts, if any, to wilderness users' enjoyment from aircraft flying over these wildernesses.

One 5-minute interview will be administered face-to-face to a total of 800 wilderness visitors in 3 areas in conjunction with detailed acoustical measurements. A 7-minute telephone interview will be administered to a total of 1200 wilderness visitors to 12 Forest Service wildernesses. A 20-minute mailed questionnaire will be sent to a total of 1600 wilderness visitors from 16 wildernesses. Total burden hour estimate for these 3 studies is 533 burden hours.

The aggregate content of these 3 questionnaires will address wilderness visitor response to aircraft overflights, considering general aircraft type, trip characteristics, visitor characteristics, and visitor safety. Information comparing wilderness visitors' level of enjoyment with aircraft overflight exposure has never been collected before, making this new information collection critical to the study. Most wilderness use is during the summer period, so it is necessary that most of the information be collected during this period. As this study is the first time scientific fields of psychoacoustics and wilderness sociology have been merged, considerable planning time and consultation with leaders in both fields was required. This delayed completion of the study design beyond the anticipated date of completion.

The information that the Forest Service needs to collect as part of the wilderness aircraft overflight study is subject to OMB review and clearance pursuant to the Paperwork Reduction Act (44 U.S.C. 3501-3520). In order to meet the Congressional deadline for completion of the study and utilize obligated funds, the Office of Management and Budget is being asked to expedite approval of the study. The text of the three questionnaires (onsite interview, telephone interview, and mailed questionnaire) is set forth as Exhibits 1, 2, and 3 at the end of this document.

Dated: May 23, 1990.

Susan Super,

Forest Service Certifying Officer.

OMB Approval No. _____; Expires _____

Exhibit 1—Onsite Personal Interview Questionnaire Instrument

Interview Records: date, time, and location of interview; sex and approximate age of respondent; number of people in the party; activity of respondent immediately prior to the interview.

Greeting: Hello, I'm _____, conducting a survey of wilderness users for the Forest Service. May I please have about 5 minutes of your time to ask you some questions?

Privacy Act Statement: Your participation in this survey is voluntary. There are no penalties for not answering some or all of the

questions, but since each interviewed person will represent many others who will not be surveyed, your cooperation is extremely important. The answers you provide are confidential. An identification label used on the mailout questionnaire is for mailing purposes only. Our results will be summarized so that the answers you provide cannot be associated with you or anyone in your group or household. Your name and address will not be given to any other group or used by us beyond the purposes of this study.

Public Burden: Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB # 0596-), Washington, DC 20503.

1. When did you start your visit to the () Wilderness?

2. Is this your first visit to the () Wilderness?

If yes, ask item 3.

If no, ask:

About how many times have you visited the () Wilderness in the past 5 years?

3. Do you intend to visit the () Wilderness again within the next 5 years?

If yes, ask item 4.

If no, ask:

Why (or why not)?

4. Have you enjoyed your visit so far?

If yes, ask:

What aspect of your visit has not been enjoyable?

If no, ask:

Would you say that your visit has been slightly enjoyable, moderately enjoyable, very enjoyable, or extremely enjoyable?

5. What have you liked most about your visit so far?

6. What have you liked least about your visit so far?

7. Have you (actively name) so far during your visit?

Note.—A laminated card showing the following activities will be used to cue the respondent to the following activities: picnicked, hiked, camped, fished, boating, swimming, rock climbing, horseback riding, hunting.

If yes, ask: where and when?

Note.—A schematic map of the wilderness in question will be shown to the respondent. The respondent will indicate times when he/she was at certain landmark, near to where acoustic instruments were located.

8. Have you noticed any aircraft during your visit?

If no, conclude interview.

If yes, ask item 9.

9. Do you recall seeing any particular type of aircraft? (Record verbatim response, then code of categories.)

10. Have you been bothered or annoyed by hearing aircraft during your visit?

If no, ask item 11.

If yes, ask:

Have you been slightly annoyed, moderately annoyed, very annoyed, or extremely annoyed by aircraft noise?

Note.—If respondent was annoyed by hearing aircraft and more than one type of aircraft was noticed (item 9), ask:

Which of the aircraft you heard was the most annoying?

11. Have you been bothered or annoyed by seeing aircraft during your visit?

If no, ask item 12.

If yes, ask:

Have you been slightly annoyed, moderately annoyed, very annoyed, or extremely annoyed by aircraft noise?

Note.—If respondent was annoyed by seeing aircraft and more than one type of aircraft was noticed (item 9), ask:

Which of the aircraft you saw was the most annoying?

Closing Statement: Thank you very much for your time. The answers you have given will help us in an important study of wilderness visitors' reaction to noise. Thank you!

Exhibit 2—Telephone Personal Interview Questionnaire Instrument

OMB Approval Number _____; Expires _____

Interviewer Records: Sex of respondent, apparent age of respondent.

Greeting: Hello, my name is _____, and I'm conducting a survey of wilderness users for the USDA Forest Service. Could I please have about 5 minutes of your time?

Privacy Act Statement: Your participation in this survey is voluntary. There are no penalties for not answering some or all of the questions, but since each interviewed person will represent many others who will not be surveyed, your cooperation is extremely important. The answers you provide are confidential. An identification label used on the mailout questionnaire is for mailing purposes only. Our results will be summarized so that the answers you provide cannot be associated with you or anyone in your group or household. Your name and address will not be given to any other group or used by us beyond the purposes of this study.

Public Burden: Public reporting burden for this collection of information is estimated to average 7 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, DC 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB#0596-), Washington, DC 20503.

1. According to the information on the trailhead register at () Wilderness, you

started your trip on _____ (date and time). Is that correct?

If yes, go to item 2. If no, record correction information.

2. How long did you spend in the () Wilderness during your recent visit?

3. Was this your first visit to the () Wilderness?

If yes, ask item 4.

If no, ask:

About how many times had you previously visited the () Wilderness in the past 5 years?

4. Do you intend to visit the () Wilderness again within the next 5 years?

If yes, ask item 5.

If no, ask:

Why (or why not)?

5. Overall, how would you rate your experience as a wilderness visitor: No experience, slight experience, moderate experience, high experience, or very high experience?

6. People have many reasons for visiting wildernesses. I will give several reasons some people have to visit the () Wilderness. Please tell me if they were not at all, slightly, moderately or very important in your decision to come to the area.

(a) To experience new and different things.
(b) To enjoy the smells and sounds of nature.

(c) To view scenery.
(d) To see cloudless blue skies.
(e) To experience peace and quiet.
(f) To hear the sounds of nature.
(g) To see scenic vistas without signs of man.

7. Is recreation in an area like () Wilderness is an important part of your life?

If agree, ask:

Do you agree strongly, moderately, or slightly?

If disagree, ask:

Do you disagree strongly, moderately, or slightly?

8. How knowledgeable do you feel about the recreation activities you do in the wilderness? High knowledgeable, moderately knowledgeable, somewhat knowledgeable, slightly knowledgeable, or not at all knowledgeable?

9. How many other people were with you in your group during your visits?

10. Did you enjoyed your visit?

If no, ask:

What aspect of your visit was not enjoyable?

If yes, ask:

Would you say that your visit was slightly enjoyable, moderately enjoyable, very enjoyable, or extremely enjoyable?

11. What did you like most about your visit?

12. What did you like least about your visit?

13. During your visit, did you participate in any of the following activities? picnicking, hiking, camping, fishing, boating, swimming, rock climbing, horseback riding, hunting.

14. Were you involved in any accidents inside the wilderness?

If No, go to item 15.

If yes, ask:

(a) What was the cause of the accident?
(b) How severe was the injury?

(c) Did you report the accident?

If no, go to item 14.

If yes, get verbatim response and code.

15. How satisfied were you with the conditions of the trails and campsites?

Note: code as: not at all satisfied, slightly satisfied, moderately satisfied, very satisfied, or extremely satisfied.

16. How satisfied were you with the number of other people you saw during your visit?

Note: code as: not at all satisfied, slightly satisfied, moderately satisfied, very satisfied, or extremely satisfied.

17. How satisfied were you with the absence of visible signs of civilization?

Note: code as: not at all satisfied, slightly satisfied, moderately satisfied, very satisfied, or extremely satisfied.

If negative response, ask:

Which sights would you rather not have seen?

18. How satisfied were you with the absence of sounds of civilization?

Note: code as: not at all satisfied, slightly satisfied, moderately satisfied, very satisfied, or extremely satisfied.

If negative response, ask:

Which sounds would you rather not have heard?

19. Did you noticed any aircraft while you were visiting the () Wilderness?

If no, conclude interview.

If yes, ask item 19.

20. What types of aircraft did not notice during your visit?

(record verbatim response, then code to categories)

21. Did the aircraft you noticed affect your visit?

If no, ask item 22.

If yes, ask:

In what way was your visit affected by noticing aircraft?

[Record verbatim response and code to the following: annoyance, compromised solitude, frightening, other, don't know, refused, not ascertained.]

22. Were you bothered or annoyed by hearing aircraft during your visit?

If no, ask item 23.

If yes, ask:

Were you slightly annoyed, moderately annoyed, very annoyed, or extremely annoyed by aircraft noise?

Note: If respondent was annoyed by hearing aircraft and more than one type of aircraft was noticed (item 9), ask:

Which of the aircraft you heard was the most annoying?

23. Were you bothered or annoyed by seeing aircraft during your visit?

If no, ask item 24.

If yes, ask:

Were you slightly annoyed, moderately annoyed, very annoyed, or extremely annoyed by seeing aircraft?

Note: If respondent was annoyed by seeing aircraft and more than one type of aircraft was noticed (item 9), ask:

Which of the aircraft you saw was the most annoying?

24. Have you complained to anyone about the aircraft you noticed on this trip?

If no, conclude interview

If yes, ask:

Who did you complain to?

Closing: That's all! The information you've given us will help in a study of the impact of noise on wilderness users. Thank you for your cooperation.

Exhibit 3—Mailed Questionnaire Questionnaire Instrument

Cover Letter

Privacy Act Statement: Your participation in this survey is voluntary. There are no penalties for not answering some or all of the questions, but since each interviewed person will represent many others who will not be surveyed, your cooperation is extremely important. The answers you provide are confidential. An identification label used on the mailout questionnaire is for mailing purpose only. Our results will be summarized so that the answers you provide cannot be associated with you or anyone in your group or household. Your name and address will not be given to any other group or used by us beyond the purposes of this study.

Public Burden: Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, DC, 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB# 0596-), Washington, DC 20503.

1. How long did you spend in the () Wilderness during your visit?

- Half a day or less
- A full day
- Two days
- Three days
- Four days
- Five days
- More than five days

2. How many other people were with you in your group during your visit to the () Wilderness?

- No others
- One other
- Two others
- Three others
- Four others
- Five others
- More than five others

3. How many trips have you made to the () Wilderness in the past five years?

— trips

4. How many trips have you taken to other wilderness areas in the past five years, not including this wilderness?

— trips

5. Overall, how would you rate your experience as a wilderness user? (circle one)

no experience

slight experience

moderate experience

high experience

very high experience

6a. Do you intend to visit the ()
Wilderness again within the next 5 years?

extremely unlikely

moderately unlikely

neither

moderately likely

extremely likely

6b. Why or why not?

7. All things considered, how enjoyable
was this visit to the () Wilderness? (Circle
one)

not at all enjoyable

slightly enjoyable

moderately enjoyable

very enjoyable

extremely enjoyable

8. What did you like most about this trip to
the () Wilderness?

10. Please check each of the activities you
did during this visit to the () Wilderness.

— Hiking
— Picnicking
— Fishing
— Camping
— Nature Study
— Swimming
— Boating
— Hunting
— Backpacking

— Pick Berries, etc.
— Horseback Riding
— Rock Climbing
— Relax Physically
— Relax Mentally

9. What did you like least about this trip to
the () Wilderness?

11. How much did each of the following
items add to or detract from your enjoyment
of this visit to the () Wilderness? Please
check one box per row.

strongly adds

moderately adds

neither adds nor
detracts

moderately detracts

strongly detracts

Hearing natural sounds (eg., birds, wind,
thunder)

Peace and quiet

Litter on the trails picnicking facilities

Hearing sounds from other campsites

Hearing other sounds of civilization

Smelling clean air

Meeting wilderness rangers

Trail sign markers

Meeting horseback riders

Horse manure on trails

Seeing high flying jets

Seeing low flying aircraft

Seeing wildlife

Hearing high flying jets

Hearing low flying aircraft

Seeing jet vapor trails in the sky

Seeing flashing aircraft lights in the night-
time sky

12. Wilderness visitors often seek
different types of recreation experiences.
Please indicate how important the following
experiences are when visiting the ()
Wilderness by checking one box per row.

	not at all important	slightly important	somewhat important	moderately important	extremely important
To experience new and different things					
To view the scenery					
To be close to nature					
To get away from the usual demands of life					
To have a change from my daily routine					
To experience tranquility					
To feel isolated					
To be away from crowds of people					
To get away from the clatter and racket back home					
To get away from the bright lights back home					
To discover something new					
To enjoy the smells and sounds of nature					
To get away from everyday responsibilities for awhile					
To have a change from everyday life					
To experience solitude					
To be alone					
To experience more elbow room					
To get away from the noise back home					
To escape the pollution back home for awhile					
To hear the sounds of nature					
To experience peace and quiet					
To view scenic vistas without the signs of man					
To see a cloudless sky					
To hear other sounds of civilization					
To smell clean air					
To meet other groups of hikers					
To see stars in the nighttime sky					
To hear the distant sound of thunder					

13. The following statements describe how you might feel about the () Wilderness.

Please indicate the extent to which you agree or disagree with each statement by checking one box in each row.

	strongly agree	moderately agree	neither	moderately disagree	strongly disagree
I see the () WA as an irreplaceable wilderness resource					
I think of the () WA as my second home					
When I need to get away from it all, I come to the () WA					
It bothers me when others use the () WA in a way that disturbs the environment					
I take pride in the () WA					
The () WA is a traditional area for my friends and family to meet					
I feel everything should be done to maintain the () WA as a wild and natural place for recreation					
The () WA is an important wilderness area for my friends and family					
Recreation in an area like the () WA is an important part of my life					
There are few locations in the wilderness that offer what I'm seeking					

14. How knowledgeable do you feel as a wilderness user? Please indicate how knowledgeable you feel in each of the following areas by checking one box in each row.

	highly knowledgeable	moderately knowledgeable	somewhat knowledgeable	slightly knowledgeable	not at all knowledgeable
The type of gear necessary for your trip					
Interpreting the natural sounds of the wilderness					
Interpreting the natural sounds of the wilderness					
Using the wilderness without disturbing the environment					
Types of wildlife in the wilderness					
Surviving in a wilderness setting					
About recreation activities I do in the wilderness					

15. How much were you bothered or annoyed by hearing aircraft during your visit?

☐ Not at all annoyed

☐ Slightly annoyed

☐ Moderately annoyed

☐ Very annoyed

☐ Extremely annoyed

16. How much were you bothered or annoyed by seeing aircraft during your visit?

☐ Not at all annoyed

☐ Slightly annoyed

☐ Moderately annoyed

☐ Very annoyed

☐ Extremely annoyed

17. Please estimate how many of the following types of aircraft you recall noticing during your visit to the () Wilderness.

	don't know	none	estimate number
High altitude jets			
Helicopters			
Low flying military aircraft			
Small private airplanes			
Other airplane			

18. How much did noticing these aircraft add to or detract from your visit to the Wilderness

	strongly added	moderately added either	moderately detracted	strongly detracted	didn't notice any	estimate number
High altitude jets						
Helicopters						
Low flying military aircraft						
Small private airplanes						
Other airplanes						

19. If you saw or heard any types of aircraft during this visit to the () Wilderness, overall how did these aircraft affect your

wilderness experience? Please indicate the extent to which the aircraft affected your

wilderness experience by checking one box per row.

	not at all	slightly	moderately	very	extremely	no opinion
It detracted from my solitude						
I felt like complaining to somebody						
I felt safer in case I needed to be rescued						
I felt frightened						
I felt annoyed						
Seeing military aircraft in training exercises makes me feel secure						
I felt like leaving early						
It made my trip more enjoyable						
It took away from the tranquility of the area						
It made me feel good to be away from everyday responsibilities						

20. Did you complain to anyone about the aircraft you noticed on your visit to the () Wilderness?

___ No

___ Yes —< Who? _____

21. What is your age? _____ Years

22. What is your sex?

___ male

___ female

23. Please circle the highest level of education you have completed.

- k. 1. Elementary, High School,
2. College or Vocational
3. Post Graduate.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

24. Do you currently subscribe to any environmental magazines?

___ Yes

___ No

25. Estimate how much you spent in 1989 on wilderness-related recreation equipment.

\$ _____

26. Do you have any aircraft-related hobbies?

___ Yes

___ No

27. Please consider all of the wilderness visits you have ever taken. Do you feel that aircraft overflights have added, detracted, or had no affect on the quality of your wilderness visits? Please circle one response below.

strongly adds

moderately adds

neither adds nor detracts

moderately detracts

strongly detracts

Thank you! We would appreciate any comments you may have about your wilderness visit. Please use the space below [FR Doc. 90-12517 Filed 50-30-90; 8:45 am]

BILLING CODE 3410-11-M

Packers and Stockyards Administration

Proposed Posting of Stockyards; Escambia County Cooperative, Inc., AL, et al.

The Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 301 of the Packers and

Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

AL-182	Escambia County Cooperative, Inc., Brewton, Alabama.
AR-165	Beebe Livestock Exchange, Beebe, Arkansas.
CO-154	Horse Creek Sale Company, Henderson, Colorado.
CO-155	Four Corners, Livestock Commission, Inc., Hesperus, Colorado.
IN-164	South Central Indiana Livestock Marketing Corp., Milltown, Indiana.

Notice is hereby given that pursuant to authority under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 *et seq.*), it is proposed to

designate the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views or arguments concerning the proposed designation may do so by filing them with the Director, Livestock Marketing Division, Packers and Stockyards Administration, room 3408-South Building, U.S. States Department of Agriculture, Washington, DC 20250 by June 8, 1990.

All written submissions made pursuant to this notice shall be made available for public inspection in the office of the Director of the Livestock Marketing Division during normal business hours.

Done at Washington, DC this 24th day of May.

Harold W. Davis,

Director, Livestock Marketing Division.

[FR Doc. 90-12545 Filed 5-30-90; 8:45 am]

BILLING CODE 3410-KD-M

Posted Stockyards; Turlock Livestock et al.

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 *et seq.*), it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notices at the stockyards as required by said section 302, on respective dates specified below.

Facility No., name, and location of stockyard	Date of posting
CA-181 Turlock Livestock, Turlock, California.	May 9, 1990
IL-172 Vienna Auction, Inc., Vienna, Illinois.	Apr. 6, 1990
MI-148 Pitchfork Livestock Exchange, Alpena, Michigan.	Mar. 21, 1990
MS-164 Kosciusko Livestock Sales, Inc., Kosciusko, Mississippi.	Apr. 25, 1990
TN-186 Knoxville Livestock Center, Inc., Knoxville, Tennessee.	Mar. 21, 1990

Done at Washington, DC this 25th day of May 1990.

Harold W. Davis,

Director Livestock Marketing Division
Packers and Stockyards Administration.

[FR Doc. 90-12595 Filed 5-30-90; 8:45 am]

BILLING CODE 3410-KD-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket No. 18-90]

Foreign-Trade Zone 80, San Antonio, TX; Application for Expansion and for Subzones at Bausch and Lomb Sunglasses Plant; Colin Medical Instruments Plant; and Friedrich Air Conditioning Plant

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the City of San Antonio, Texas, grantee of FTZ 80, requesting authority to expand and reorganize its zone, and requesting special-purpose subzone status at three plants in the San Antonio Customs port of entry area. The application was submitted pursuant to the provisions of the Foreign-Trade

Zones Act, as amended (19 U.S.C. 81a-81u), the regulations of the Board (15 CFR part 400). It was formally filed on May 15, 1990.

FTZ 80 was approved on September 16, 1982 (Board Order 200, 47 FR 42011, 9/23/82), and it currently covers 556 acres at four sites in the San Antonio area. *Site 1* (51 acres) is an industrial area on Coliseum Road. *Site 2* (4 acres) is at 315 Medina Street. *Site 3* (500 acres) is within the Southwest Industrial Center, Quintana Road at I-35. A temporary site was authorized in 1989 at a 58,000 sq. ft. warehouse owned and operated by Southwest Freight of San Antonio, Inc., at 5040 Space Center Drive (A-39-89, 12/22/89).

The proposed zone reorganization would delete existing Sites 1 and 2, and make the temporary Southwest Freight site a permanent zone site (new Site 1). The change would also add a site at the airport (new Site 2) and 3 new industrial park sites (to be designated as Sites 4, 5 and 6).

The reorganized general-purpose zone would consist of: *Site 1*, Southwest Freight facility (existing temporary site); *Site 2*, (8 acres) located at John Saunders and Wetmore Roads at the San Antonio International Airport; *Site 3*, Southwest Industrial Center, known as the Notre Dame site (existing Site 3); *Site 4* (320 acres) an industrial park at Interstate Highway 10 East and Loop 410; *Site 5* (281 acres) an industrial park located at the Intersection of FM 3009 and Interstate Highway 35, known as the Tri-County facility; *Site 6* (683-acres) an industrial park at Foster and Kiefer Roads, known as the Foster Ridge facility. The proposal calls for an activation limit of 225 acres at all sites.

The proposal also requests subzone status for three distribution/processing facilities: Bausch and Lomb, Inc., plant, 5335 Castroville Road (17 acres), warehousing/distribution and assembly of sunglasses and frames (duty rate 7.2%); Colin Medical Instruments Corporation plant, 12677 Silicon Drive near I-10 (21 acres), warehousing/distribution of medical equipment (duty rate 3.4%); and, Friedrich Air Conditioning and Refrigeration Company plant, 4200 North Pan Am Expressway (39 acres), warehouse/distribution and assembly of room air conditioners and components such as compressors and copper tubing (duty rate 1.4-5%).

Zone procedures at all sites would be used for duty deferral. No requests for manufacturing approvals are being made at this time. Such requests would be made to the board on a case-by-case basis.

In accordance with the Board's regulations, an examiners committee has been appointed to investigate the application and report to the Board. The committee consists of: John J. Da Ponte, Jr. (Chairman), Director, Foreign-Trade Zones Staff, U.S. Department of Commerce, Washington, DC 20230; Paul Rimmer, Deputy Assistant Regional Commissioner, U.S. Customs Service, Southwest Region, 5850 San Felipe Street, Suite 500, Houston, TX 77057-3012; and Colonel William D. Brown, District Engineer, U.S. Army Engineer District Fort Worth, P.O. Box 17300, Fort Worth, TX 76102-0300.

Comments concerning the proposed expansion and subzones are invited in writing from interested parties. They should be addressed to the Board's Executive Secretary at the address below and postmarked on or before July 9, 1990.

A copy of the application is available for public inspection at each of the following locations:

U.S. Customs Service Port Director's Office, 10500 Highway 281 North, Suite 170, San Antonio, TX 78216, Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2835, 14th & Pennsylvania Avenue NW., Washington, DC 20230.

Dated: May 22, 1990.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 90-12521 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-DS-M

[Docket No. 19-90]

Foreign-Trade Zone 84, Harris County, TX (Houston Customs Port of Entry); Application for Subzone by Hill Petroleum Co., Houston and Texas City, TX

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Port of Houston Authority, grantee of FTZ 84, requesting special-purpose subzone status at two refineries of Hill Petroleum Company (subsidiary of Phibro Energy, Inc.) located in Houston and Texas City, Texas, adjacent to the Houston Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on May 18, 1990.

Hill's Houston refinery (213 acres, 71,000 BPD) is located at 9701 Manchester Avenue, adjacent to the Houston Ship Channel. The company's

Texas City refinery (281 acres, 130,000 BPD) is located at 1301 Loop 197 South, adjacent to Texas City Harbor. The facilities refine crude oil (some 80% foreign) into a full range of petroleum products including motor fuel, heating oil, fuel oils, jet fuel, kerosene, MTBE, propane, propylene, butylenes, asphalt, and aromatic and aliphatic chemicals. Some 9 percent of the products are exported.

Zone procedures would exempt the refineries from Customs duty payments on the foreign products used in its exports. On its domestic sales, the company is seeking to avoid duties on fuel used in the refinery. On certain products such as asphalt and propane, the company would also be able to choose the rate available on the end products. The duty rates on crude oil range from 5.25 to 10.5 cents per barrel and the rates on end products range from zero to 8 cents per barrel (equivalent). Foreign merchandise and merchandise to be exported would also be exempt from state and local *ad valorem* taxes. The applicant indicates that zone procedures would help the company's international competitiveness.

In accordance with the Board's regulations, an examiners committee has been appointed to investigate the application and report to the Board. The committee consists of: John J. Da Ponte, Jr. (Chairman), Director, Foreign-Trade Zones Staff, U.S. Department of Commerce, Washington, DC 20230; Paul Rimmer, Deputy Assistant Regional Commissioner, U.S. Customs Service, Southwest Region, suite 500, 5850 San Felipe Street, Houston, Texas 77057; and Colonel Brink Miller, District Engineer, U.S. Army Engineer District Galveston, P.O. Box 1229, Galveston, Texas 77553.

Comments concerning the proposed subzones are invited in writing from interested parties. They should be addressed to the Board's Executive Secretary at the address below and postmarked on or before July 9, 1990.

A copy of the application and accompanying exhibits will be available during this time for public inspection at each of the following locations:

U.S. Department of Commerce, District Office, 2625 Federal Building, 515 Rusk Street, Houston, Texas 77002
Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, 14th and

Pennsylvania Avenue, NW., room 2835, Washington, DC 20230

Dated: May 22, 1990.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 90-12522 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-DS-M

International Trade Administration

[C-549-401]

Certain Apparel From Thailand; Determination Not To Revoke Countervailing Duty Order

AGENCY: International Trade Administration/Import Administration, Department of Commerce.

ACTION: Notice of determination not to revoke countervailing duty order.

SUMMARY: The Department of Commerce is notifying the public of its determination not to revoke the countervailing duty order on certain apparel from Thailand.

EFFECTIVE DATE: May 31, 1990.

FOR FURTHER INFORMATION CONTACT: Lorenza Olivas or Maria MacKay, Office of Countervailing Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377-2786.

SUPPLEMENTARY INFORMATION: On March 1, 1990, the Department of Commerce ("the Department") published in the *Federal Register* (55 FR 7356) its intent to revoke the countervailing duty order on certain apparel from Thailand (46 FR 21155; April 9, 1981). The Department may revoke an order if the Secretary concludes that the order is no longer of interest to interested parties. We had not received a request for an administrative review of the order for the last four consecutive annual anniversary months.

On March 23, 1990, the Amalgamated Clothing and Textile Workers Union, AFL-CIO objected to our intent to revoke the order. Therefore, we no longer intend to revoke the order.

This notice is in accordance with 19 CFR § 355.25(d).

Dated: May 22, 1990.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 90-12523 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-DS-M

[C-122-507]

Certain Fresh Atlantic Groundfish From Canada; Amendment to Final Affirmative Countervailing Duty Determination and Countervailing Duty Order in Accordance With Decision on Remand

AGENCY: International Trade Administration, Import Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: On October 27, 1989, the United States Court of International Trade ("CIT") ordered the Department of Commerce ("Commerce") to recalculate the benefits from certain Canadian programs which Commerce found to be countervailing in its final countervailing determination on certain fresh Atlantic groundfish from Canada. *Comeau Seafoods, Ltd., St. Mary's Bay Fisheries, Ltd., National Sea Products, Ltd., and Fisheries Council of Canada v. United States*, Court No. 86-06-00751, Slip Op. 89-155 (October 27, 1989). Commerce filed the required remand results with the CIT on February 8, 1990. On March 13, 1990, the CIT rendered a judgment which affirmed, in its entirety, the remand determination by Commerce. The period in which this affirmation by the CIT may be appealed has now expired, resulting in a "conclusive" decision in the action. For all entries made on or after the date of publication of this notice, Commerce will direct Customs to require a cash deposit for each entry in an amount equal to the estimated net subsidy as described in the "Suspension of Liquidation" section of this notice.

EFFECTIVE DATE: May 31, 1990.

FOR FURTHER INFORMATION CONTACT: Vincent Kane or Roy A. Malmrose, Office of Countervailing Duty Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 377-2815 or 377-5414.

SUPPLEMENTARY INFORMATION:

Background

On March 24, 1986, Commerce published notice of its Final Affirmative Countervailing Duty Determination: Certain Fresh Atlantic Groundfish from Canada, 51 FR 10041 (March 24, 1986). That determination noted Commerce's finding of an estimated net subsidy of 5.82 percent *ad valorem*. On May 15, 1986, Commerce published a countervailing duty order, instructing

the U.S. Customs Service to collect a cash deposit equal to 5.82 percent *ad valorem* on all entries of the subject merchandise entered or withdrawn from warehouse for consumption on or after that date. (See 51 FR 17785.)

Subsequent to Commerce's countervailing duty determination and order, the Canadian respondents filed a lawsuit challenging Commerce's determination. On October 27, 1989, the CIT remanded the final determination to Commerce for recalculation of certain countervailing benefits. On February 8, 1990, Commerce issued remand results with a recalculated net subsidy rate of 5.40 percent *ad valorem*. The CIT affirmed Commerce's remand results in their entirety on March 13, 1990. This affirmation by the CIT was not appealed and is, therefore, a "conclusive" decision in this matter.

Suspension of Liquidation

We are directing the U.S. Customs Service to require a cash deposit in an amount equal to 5.40 percent *ad valorem* for all entries of fresh Atlantic groundfish from Canada which were entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. The suspension of liquidation will remain in effect until further notice.

Dated: May 23, 1990.

Eric L. Garfinkel,

Assistant Secretary for Import Administration.

[FR Doc. 90-12524 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-DS-M

National Oceanic and Atmospheric Administration

[Docket No. 900405-0118]

RIN 0648-AD39

Interim Policy on Taking of Atlantic Bottlenose Dolphins

AGENCY: National Marine Fisheries Service.

ACTION: Notice of interim policy.

SUMMARY: The National Marine Fisheries Service (NMFS) announces an interim policy, which has been in effect since February 1990, on the taking of

Atlantic bottlenose dolphins (*Tursiops truncatus*) from the waters of the Gulf of Mexico and Florida east coast under scientific research and public display permits issued pursuant to 50 CFR part 216. A temporary voluntary moratorium is in effect on the removal of bottlenose dolphins from Gulf of Mexico collection areas pending a review of circumstances surrounding the deaths of over 250 (as of April 1) bottlenose dolphins since January 1, 1990 along the coasts of five Gulf states. This interim policy is in use for the Florida East Coast areas and will be used in other areas if collections are resumed before new quotas are set by regulation. Depending on the outcome of the review of the stranding data, this interim policy may need to be revised. NMFS anticipates that the interim policy will be in effect until the conclusion of a comprehensive review of the status of stocks, the live capture and incidental take of bottlenose dolphins in the southeast region, and the current procedure which allows an annual take of 2% of the minimum population level from each quota area. Formal implementation will include an Environmental Impact Statement (EIS) under the National Environmental Policy Act (NEPA). For a document relating to the formal setting and revision of quotas see the Advance Notice of Proposed Rulemaking published elsewhere in this issue.

FOR FURTHER INFORMATION CONTACT:

Wanda L. Cain, Permit Division, Office of Protected Resources and Habitat Programs (F/PR1), National Marine Fisheries Service, 1335 East-West Hwy., Silver Spring, Maryland 20910 (301/427-2289).

SUPPLEMENTARY INFORMATION:

The quota system for the live capture of bottlenose dolphins from the southeast region was intended to be used as a mechanism that could and should be updated as new information on the status of stocks became available. Quotas to manage the live capture of bottlenose dolphins from the Gulf of Mexico and Florida east coast were established in 1977. New population estimates were made in the early 1980's and quotas were revised in 1982. A more comprehensive survey to obtain estimates of abundance for bottlenose dolphins was conducted from 1983-1986

(Scott *et al* 1989), providing a basis for revising the quotas which were in effect from 1983 until February 1990.

Results from the survey and estimates of the level of human-induced mortality of bottlenose dolphins were used to produce January 1990 quota recommendations (given in Table 1). The January 1990 recommended quotas were determined by applying the 2% rule to the lower end of the 95% confidence interval around the lowest seasonal population size estimated from recent population surveys and incorporating known rates or levels of human-caused mortality within each management area.

Because of concerns that the cumulative impact of the take of bottlenose dolphins is unknown, the interim policy incorporates recent revisions to estimates of bottlenose dolphin population abundance in the southeast region, and changes the quota of bottlenose dolphins allowed to be removed from the wild under Marine Mammal Protection Act scientific research and public display permits issued pursuant to 50 CFR part 216. For management areas where the proposed quota is higher than the current quota, NMFS is limiting collections to the lower number until new quotas are formally implemented. In addition, the take of females is limited to 50% of the interim quota. These more conservative quotas were implemented in February in the interest of ensuring that affected population will not be disadvantaged, and are considered interim. This interim quota may need to be revised depending on the outcome of the review of the circumstances surrounding the deaths of over 250 (as of April 1) bottlenose dolphins since January 1, 1990 along the Texas, Louisiana, Mississippi, Alabama and Florida Gulf of Mexico Coasts.

The interim policy will be in effect until revised, or superseded by the promulgation of final regulations regarding the setting and revision of quotas. These regulations will be based on a comprehensive review of the status of stocks, the live capture and incidental take of bottlenose dolphins in the southeast region, and the current procedure which allows an annual take of 2% of the minimum population level from each quota area.

TABLE 1.—INTERIM QUOTAS FOR REMOVALS OF BOTTLENOSE DOLPHINS, *TURSIOPS TRUNCATUS*, FROM SOUTHEASTERN UNITED STATES WATERS

Management area	Previous quota	January 1990 recommended quota ¹	Interim quota	Female limit
Florida East Coast Indian/Banana Rivers	6	1	1	0

TABLE 1.—INTERIM QUOTAS FOR REMOVALS OF BOTTLENOSE DOLPHINS, TURSIOPS TRUNCATUS, FROM SOUTHEASTERN UNITED STATES WATERS—Continued

Management area	Previous quota	January 1990 recommended quota ¹	Interim quota	Female limit
Florida Keys				
Nearshore Atlantic.....		0	0	
Key West.....	0	0	0	
Marquesas/Dry Tortugas.....		1	0	
Florida West Coast				
Charlotte Harbor.....	5	0	0	
Charlotte Harbor to Crystal River.....	8	7	7	3
Tampa Bay.....	10	0	0	
Sarasota Bay.....		0	0	
Sanibel Island to Florida Keys.....		9	0	
Ten Thousand Islands.....		1	0	
Whitewater Bay.....		0	0	
Florida Panhandle				
Crystal River to Pensacola ²	10	15	10	5
Apalachicola/St. Joseph.....	1	0	0	
Pensacola/Choctawhatchee ³	2	1	1	0
St. Andrews Bay.....		0	0	
Coastal Alabama.....		0	0	
Mississippi Sound				
Mississippi Sound Management Area ⁴	35	16	16	8
Mississippi Sound Proper.....		1	0	
Coastal Louisiana				
Coastal Louisiana.....		3	0	
Terrebonne/Timbalier Bays.....		1	0	
Atchafalaya Bay.....		0	0	
Barrataria Bay.....		0	0	
Calcasieu Bay.....		0	0	
Texas Coast				
Coastal Texas ⁵		1	0	
Coastal Southern Texas.....		0	0	
Aransas/Copano/San Antonio.....	5	0	0	
Galveston Bay.....		0	0	
Corpus Christi Bay.....		0	0	
Matagorda Bay.....	12	0	0	
Laguna Madre.....		0	0	
Other Areas				
Savannah, GA.....		0	0	0
Total.....	91	56	35	16

¹ The January 1990 Recommended Quotas were based on population abundance estimates and known or estimated levels of incidental mortality in each management area. Documentation is available in a 31 January 1990 memo to Dr. Nancy Foster, Director, Office of Protected Resources from Dr. Bradford Brown, Deputy Director, Southeast Fisheries Center.

² Formerly, quotas for Pensacola/Choctawhatchee and Apalachicola/St. Joseph were included in the quota for the areas of Crystal River to Pensacola. Under this new designation, the quotas are additive.

³ Formerly designated Destin/Ft. Walton Beach.

⁴ Any quota established for Mississippi Sound Proper would be included in the quota for the Mississippi Sound Management Area.

⁵ Any quota established for Coastal Southern Texas would be included in the quota for Coastal Texas.

Dated: May 24, 1990.

William W. Fox, Jr.,

Assistant Administrator for Fisheries.

[FR Doc. 90-12540 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

Gulf of Mexico Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Gulf of Mexico Fishery Management Council and its Committees will meet June 11-14 1990, at the Radisson Admiral Semmes Hotel, 251 Government Street, Mobile, AL. Except as noted below, the meetings are open to the public.

Council

The Gulf of Mexico Council will begin its meeting on June 13 at 8:30 a.m. It will

hear a report on the Marine Mammal Exemption Program, review the Shark Amendment Options Paper, and also hear reports from the Habitat Protection and Budget Committees. The Council meeting will recess at 4:30 p.m.

On June 14 at 8:30 a.m., the Council meeting will reconvene, to review the Stone Crab, Spiny Lobster, Reef Fish Committee, Enforcement and Director's reports. The Council meeting will adjourn at 11 a.m.

Committees

On June 11 at 1 p.m., the Spiny Lobster Management Committee will meet. From 2 p.m., to 3:30 p.m., in a closed session (not open to the public) the Personnel Committee will begin meeting. Afterwards, the Budget Committee will meet from 3:30 p.m., to 5:30 p.m.

On June 12 at 8 a.m., the Shark Management Committee will meet, and will be followed by meetings of the Stone Crab Management, Reef Fish Management, and Habitat Protection Committees, with adjournment at 5:30 p.m.

For more information contact Wayne E. Swingle, Executive Director, Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, Suite 881, Tampa, FL 33609; telephone: (813) 228-2815.

Dated: May 25, 1990.

David S. Crestin,

Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 90-12633 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

Development of a Proposal to Govern the Taking of Marine Mammals Incidental to Commercial Fishing Operations: Meetings

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of scoping meetings.

SUMMARY: On May 10, 1990, NMFS published a Notice of intent to prepare an EIS and hold a scoping meeting in Silver Spring, Maryland on May 31, 1990, (55 FR 19642) regarding the development of a proposal to govern the incidental take of marine mammals in commercial fisheries operations. This notice informs the public of additional scoping meetings in other areas of the country. NMFS is convening the scoping meetings to ensure that all interested parties have an opportunity to advise NMFS on the issues, alternatives and impacts that should be considered in developing the EIS.

DATES: Scoping meetings will be held as follows:

Northeast Region

1. June 22, 1990, 7-9 p.m., Gloucester, MA;
2. June 26, 1990, 7-9 p.m., Narragansett, RI;
3. June 27, 1990, 7-9 p.m., Essington, PA.

Southeast Region

4. July 12, 1990, 2-4 p.m., Miami, FL.

Southwest Region

5. June 20, 1990, 7-10 p.m., San Pedro, CA;
6. June 22, 1990, 7-10 p.m., San Francisco, CA;

Northwest Region

7. July 9, 1990, 7-9 p.m., Honolulu, HI.

Alaska Region

8. June 12, 1990, 2 p.m., Seattle, WA.
9. June 25, 1990, 7-9 p.m., Anchorage, AK.

ADDRESSES: Written comments should be sent to Dr. Nancy Foster, Director, Office of Protected Resources, 1335 East-West Highway, Silver Spring, Maryland 20910. The scoping meetings will be held at the following locations:

Northeast Region

1. National Marine Fisheries Service, 1 Blackburn Street, Gloucester, MA;
2. National Marine Fisheries Service, South Ferry Road, Narragansett, RI;
3. Holiday Inn, 45 Industrial Highway, Essington, PA.

Southeast Region

4. National Marine Fisheries Service, 75 Virginia Beach Drive, Miami, FL.

Southwest Region

5. Compri Hotel, 2800 Cabillo Marina, San Pedro, CA;
6. Firehouse at Fort Mason Center, San Francisco, CA;
7. McCully Moiliili Public Library, 2211 King Street, Honolulu, HI.

Northwest Region

8. National Oceanic and Atmospheric Administration, Sand Point Facility, (Auditorium), 7600 Sand Point Way NE., Seattle, WA.

Alaska Region

9. Anchorage Hilton Hotel, Anchorage, AK.

FOR FURTHER INFORMATION CONTACT:

Background materials for the scoping materials can be obtained from the following: Northeast Region, Mr. Douglas Beach (508-281-9254); Southeast Region, Mr. Charles Oravetz (813-893-3366); Southwest Region, Mr. James Lecky (213-514-6664) or Mr. Eugene Nitta (808-955-8831); Northwest Region, Mr. Joe Scordino (206-526-6140); Alaska Region, Mr. John Sease (907-586-7235).

SUPPLEMENTARY INFORMATION: The Interim Exemption for Commercial Fisheries implemented by the 1988 amendments to the Marine Mammal Protection Act governs the takings of marine mammals during commercial fishing operations until October 1, 1993. The 1988 amendments require the Secretary of Commerce to publish in the Federal Register by February 1, 1991, for public comment, the suggested regime that the Secretary believes should govern the incidental taking of marine mammals after October 1, 1993. In developing this regime, the Secretary is required to consult with the Marine Mammal Commission, Regional Fishery Management Councils, and other interested governmental and non-governmental organizations. The amendments also require the Secretary to make recommendations to Congress pertaining to the incidental taking of marine mammals by January 1, 1992. These recommendations will include: (a) The suggested regime as modified after comments and consultations; (b) a proposed schedule for implementing the regime; and (c) such recommendations for additional legislation considered necessary or desirable to implement the suggested regime.

In conjunction with the development of a proposed regime, NMFS is preparing a Draft Environmental Impact Statement (DEIS). This DEIS will present alternative regimes and discuss the environmental impacts of each alternative.

The public scoping meetings will be held to ensure full opportunity for interested members of the public and government agencies to advise NMFS on the issues, alternatives and impacts which should be addressed in the DEIS. All comments and suggestions presented at the scoping meetings should be provided in writing no later than 15 days after the meeting.

Background information will be available one week prior to the meetings from the contacts listed above.

Nancy Foster,

Director, Office of Protected Resources,

[FR Doc. 90-12611 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

Endangered Marine Mammals; Permits

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Modification No. 2 to Permit No. 675 (P440).

Notice is hereby given that pursuant to the provisions of §§ 216.33(d) and (2) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216, and § 220.24 of the Regulations Governing Endangered Species (50 CFR part 217-222), Scientific Research Permit No. 675 was issued to Dr. C. Scott Baker, Department of Health and Human Services, Section of Genetics, Building 560, room 21-105, National Cancer Institute, Frederick, Maryland 21701-1013 on August 4, 1989 (54 FR 35220). The Permit was modified on November 15, 1989 (54 FR 47543) and is further modified as follows:

Add to Section A.1.:

1. * * * In addition, the Permit Holder is authorized to collect and import biopsy samples from a maximum of 80 minke whales (*Balaenoptera acutorostrata*) and 40 southern right whales (*Eubalaena australis*) from the Antarctic Peninsula region of the southern hemisphere, and to import biopsy samples taken from humpback whales (*Megaptera novaeangliae*) collected in the territorial waters of other nations.

Add new Special Condition B.3.a:

B.3.a. If an endangered cetacean dies as a result of the biopsy procedure, sampling of endangered species shall be suspended until the cause of death can be determined and the sampling procedure revised as necessary.

This modification is effective upon publication in the Federal Register.

Documents submitted in connection with the above application are available for review in the following offices:

Office of Protected Resources and Habitat Programs, National Marine Fisheries Service, 1335 East West Highway, room 7330, Silver Spring, Maryland 20910;

Director, Alaska Region, National Marine Fisheries Service, NOAA, 709 West 9th Street, Federal Building, Juneau, Alaska 99802;

Director, Northeast Region, National Marine Fisheries Service, NOAA, 7600 Sand Point Way, NE, BIN C15700, Seattle, Washington 98115;

Director, Southeast Region, National Marine Fisheries Service, NOAA, 9450 Koger Boulevard, St. Petersburg, Florida 33702;

Director, Southwest Region, National Marine Fisheries Service, NOAA, 300 South Ferry Street, Terminal Island, California 90731-7415; and

Administrator, Western Pacific Program Office, National Marine Fisheries

Service, NOAA, 2570 Dole Street, room 106, Honolulu, Hawaii 96822-2396.

Dated: May 23, 1990.

Nancy Foster,

Director, Office of Protected Resources,
National Marine Fisheries Service.

[FR Doc. 90-12541 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

[P82A]

National Marine Fisheries Service; Marine Mammals; Application for Permit; Folsom Children's Zoo

Notice is hereby given that the Applicant has applied in due form for a Permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Applicant: Folsom Children's Zoo, 2800 A Street, Lincoln, NE 68502.

Type of Permit: Public display.

Name and Number of Marine Mammals: Three (3) harbor seals (*Phoca vitulina*).

Type of Take: Transfer harbor seals from Louisville Zoological Garden for permanent maintenance.

Location and Duration of Activity: 2 years.

The arrangements and facilities for transporting and maintaining the marine mammals requested in this application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Concurrent with the publication of this notice in the Federal Register, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, 1335 East West Hwy., room 7234, Silver Spring, Maryland 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in this application are summaries of those of the Applicant and do not

necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review by interested persons in the following offices:

By appointment: Office of Protected Resources, National Marine Fisheries Service, 1335 East West Hwy., suite 7324, Silver Spring, Maryland 20910;

Director, Southeast Region, National Marine Fisheries Service, 9450 Koger Blvd., St. Petersburg, FL 33701.

Dated: May 23, 1990.

Nancy Foster,

Director, Office of Protected Resources and
Habitat Programs.

[FR Doc. 90-12542 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

[P189A]

National Marine Fisheries Service; Marine Mammals; Application for Permit; Philadelphia Zoological Gardens

Notice is hereby given that the Applicant has applied in due form for a Permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Applicant: Philadelphia Zoological Garden, 34th Street & Girard Ave., Philadelphia, PA 19104.

Type of Permit: Public display.

Name and Number of Marine Mammals: Harbor seals (*Phoca vitulina*) up to 7.

Type of Take: The applicant is requesting authorization to obtain and exhibit up to seven harbor seals for public display through exhibition and behavioral demonstrations. Only captive or stranded rehabilitated animals will be taken.

Location and Duration of Activity: Animals will come from various facilities depending on availability.

The arrangements and facilities for transporting and maintaining the marine mammals requested in this application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Concurrent with the publication of this notice in the Federal Register, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application

should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, 1335 East West Hwy., room 7234, Silver Spring, Maryland 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review by interested persons in the following offices:

By appointment: Office of Protected Resources, National Marine Fisheries Service, 1335 East West Hwy., suite 7324, Silver Spring, Maryland 20910 (301/427-2289); and

Director, Northeast Region, National Marine Fisheries Service, One Blackburn Drive, Gloucester, Massachusetts 01930.

Dated: May 23, 1990.

Nancy Foster,

Director, Office of Protected Resources and
Habitat Programs.

[FR Doc. 90-12543 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

National Technical Information Service

Prospective Grant of Exclusive Patent License

This is notice in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i) that the National Technical Information Service (NTIS), U.S. Department of Commerce, is contemplating the grant of an exclusive license in the United States and certain foreign countries to practice the invention embodied in U.S. Patent Application Serial Number 7-386,114 entitled, "Method of Preventing Graft Rejection in Solid Organ Transplantation", to Cetus Corporation, having a place of business in Emeryville, CA. The patent rights in this invention have been assigned to the United States of America.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within sixty days from the date of this published Notice, NTIS receives written evidence and argument which

establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

The invention relates to a method of preventing graft rejection in solid organ transplantation, by administering succinylacetone to recipients of solid organ transplants.

The availability of the invention for licensing was published in the *Federal Register*, Vol. 54, No. 242, p. 51925 (1989). A copy of the instant patent application may be purchased from the NTIS Sales Desk by telephoning 703/487-4650 or by writing to Order Department, NTIS, 5285 Port Royal Road, Springfield, VA 22161.

Inquiries, comments and other materials relating to the contemplated license must be submitted to Papan Devnani, Center for Utilization of Federal Technology, NTIS, Box 1423, Springfield, VA 22151. Properly filed competing applications received by the NTIS in response to this notice will be considered as objections to the grant of the contemplated license.

Douglas J. Campion,

Center for Utilization of Federal Technology, National Technical Information Service, U.S. Department of Commerce.

[FR Doc. 90-12569 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on the Elimination of Certain Quota and Visa Requirements for Textile Products From the United Mexican States

May 23, 1990.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: The Chairman of CITA requests comments on the elimination of quota and visa requirements for textile products which are sent from the United States to Mexico for laundering.

FOR FURTHER INFORMATION CONTACT: Anne Chenoweth, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 337-3400.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

Pursuant to the Harmonized Tariff Schedule of the United States, any product of the United States which is returned after having been advanced in

value or improved in condition abroad by any process of manufacture or other means is treated as a foreign article. Currently, textile products that are sent to Mexico from the United States for laundering require a visa and are charged to the appropriate quota when re-entering the United States. The Committee for the Implementation of Textile Agreements proposes to eliminate quota and visa requirements for all textile products which are sent from the United States to Mexico for laundering and returned to the United States.

Comments will be accepted for a period of 60 days from the date of this notice. Anyone wishing to comment regarding the exemption of such articles from quota and visa requirements is invited to submit comments to Auggie D. Tantillo, Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce, 14th and Constitution Avenue, NW., room H3100, Washington, DC 20230.

Dated: May 23, 1990.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 90-12490 Filed 5-30-90; 8:45 am]

BILLING CODE 3510-DR-M

COMMISSION ON MINORITY BUSINESS DEVELOPMENT

[90-N-5]

Meeting and Hearing

AGENCY: Commission on Minority Business Development.

ACTION: Notice of meeting and public hearing.

SUMMARY: Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting and public hearing of the Commission on Minority Business Development will be held on Thursday, June 14, 1990 and Friday, June 15, 1990, respectively.

The June 14 meeting will convene at 9 a.m. at the Fulton County Government Center at 141 Pryor Street, Atlanta, Georgia. The meeting agenda will include review of the minutes of the Commission's last meeting, consideration of old business and consideration of new business. The meeting is open to the public.

The June 15 public hearing will begin at 9 a.m. at the Assembly Hall of the Fulton County Government Center, 141 Pryor Street, Atlanta.

The public hearing is for purposes of receiving testimony from public and private sector decision-makers and

entrepreneurs, professional experts, corporate leaders and representatives of key interest groups and organizations concerned about minority business development and participation in Federal programs and contracting opportunities.

The Commission was established by Public Law 100-656, for purposes of reviewing and assessing Federal programs intended to promote minority business and making recommendations to the President and the Congress for such changes in law or regulation as may be necessary to further the growth and development of minority businesses.

FOR FURTHER INFORMATION CONTACT: Susan Gonzales or Anita Irick (202) 523-0030, Commission on Minority Business Development, 730 Jackson Place, NW., Washington, DC 20006.

SUPPLEMENTARY INFORMATION: Minutes of the meeting and hearing transcripts will be available for public inspection and reproduction during regular working hours at 730 Jackson Place, NW., Washington, DC 20006 approximately 30 days following the meeting and hearing.

Dated: May 23, 1990.

Andre M. Carrington,

Executive Director.

[FR Doc. 90-12513 Filed 5-30-90; 8:45 am]

BILLING CODE 6820-PB-M

COMMODITIES FUTURES TRADING COMMISSION

Chicago Board of Trade; Proposed Amendments Relating to Quality Specifications for Corn, Soybean, and Wheat Futures Contracts, and to Delivery Points for Soybean Futures Contract

AGENCY: Commodity Futures Trading Commission.

ACTION: Proposed contract market rule changes.

SUMMARY: The Chicago Board of Trade (CBT or Exchange) has submitted proposed amendments to its corn, soybean, and wheat futures contracts. The proposed amendments will modify the quality standards and quality price differentials for each of these contracts. In addition, the proposed amendments to the soybean futures contract will add St. Louis, Missouri, as a delivery point. The CBT's submissions state that the proposed amendments will be applied only to newly listed futures contract months.

In accordance with section 5a(12) of the Commodity Exchange Act and acting pursuant to the authority

delegated by Commission Regulation 140.96, the Director of the Division of Economic Analysis (Division) of the Commodity Futures Trading Commission (Commission) has determined, on behalf of the Commission, that the proposed amendments are of major economic significance.

Accordingly, the Division, on behalf of the Commission, is requesting comment on this proposal.

DATES: Comments must be received on or before July 2, 1990.

ADDRESSES: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Reference should be made to the proposed amendments to the quality specifications of the CBT corn, soybean, and wheat futures contracts, and/or the addition of St. Louis as a delivery point for the soybean futures contract.

FOR MORE INFORMATION CONTACT: Frederick V. Linse, Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581, telephone (202) 254-7303.

SUPPLEMENTARY INFORMATION: A detailed description of the proposed changes and the CBT's justification in support of these changes is provided below.

Corn Futures Contract. The CBT proposes the following changes affecting the quality standards and related price differentials: increase the maximum moisture standard for No. 1 yellow corn from 14 percent to 15 percent; decrease the maximum moisture standard for No. 2 and No. 3 yellow corn from 15½ percent to 15 percent; and increase the premium for delivery of No. 1 yellow corn from one-half cent to one and one-half cents per bushel. The proposal will leave unchanged the contract's existing terms providing for delivery of grade No. 2 yellow corn at par and grade No. 3 yellow corn at a discount of one and one-half cents per bushel.

In support of its proposal, the CBT asserts that the proposed amendments reflect cash market practices. Specifically, the CBT states that the maximum moisture content for all deliverable grades of corn should be changed to 15 percent because this is the preponderant corn moisture standard in U.S. export and domestic cash markets. In addition, the proposed increase in the premium for No. 1 yellow corn is expected to better reflect the actual premium for such yellow corn in the cash market.

Soybean Futures Contract. The CBT proposes the following changes affecting the quality standards and related price differentials: increase the premium for No. 1 yellow soybeans from three cents to six cents per bushel; increase the discount for No. 3 yellow soybeans that meet the standards for No. 2 soybeans for all factors except foreign material from four cents to six cents per bushel; and disallow delivery of all other No. 3 yellow soybeans. The proposal will leave unchanged the par delivery grade of No. 2 yellow soybeans and the maximum moisture standards for deliverable soybeans.

In support of the quality standard changes, the CBT asserts that the deletion of certain No. 3 soybeans from the list of deliverable qualities will not reduce significantly the available supplies of soybeans for delivery on the futures contract. In addition, the CBT states that the proposed larger premium for No. 1 yellow soybeans and the proposed larger discount for deliverable No. 3 yellow soybeans will approximate actual cash market differentials for No. 1 yellow soybeans and No. 3 yellow soybeans.

The CBT also proposes to add St. Louis, Missouri (including East St. Louis and Alton, Illinois), as a delivery location for its soybean futures contract. Delivery at St. Louis will be allowed at a discount of four cents per bushel off the futures settlement price. The proposal will leave unchanged the soybean contract's current par delivery location of Chicago, and the existing discount of eight cents per bushel for delivery at Toledo, Ohio.

In support of its proposal to add St. Louis as a delivery point on the soybean futures contract, the Exchange states that St. Louis is an important terminal market for soybeans. Specifically, the CBT notes that St. Louis is located in the center of the major soybean production region of the U.S. and offers convenient access to export markets via both rail and barge transportation. The Exchange also notes that St. Louis can efficiently handle large export bound shipments of soybeans to the Gulf from the central and northern states. In this respect, the CBT indicates that there are a total of seven terminal elevators with a combined storage capacity of about 15 million bushels that potentially could be eligible for delivery of soybeans at the proposed St. Louis delivery point. In addition, the Exchange notes that, during the calendar years 1984 through 1988, soybean stocks at St. Louis ranged from a low of 346 thousand bushels to a high of 3.64 million bushels.

The CBT also submits that St. Louis is similar to the contract's other existing

delivery points at Chicago and Toledo in that all are large terminal markets where soybeans are sold in sufficient volume and under conditions that reflect the general value of the commodity. In addition, the Exchange notes that, because St. Louis, Chicago, and Toledo are all located on interconnected water transportation systems, cash prices for soybeans at these locations are related.

With regard to the proposed 4-cent-per-bushel discount for futures delivery of soybeans in St. Louis, the Exchange indicates that the proposed discount will preserve Chicago as the contract's par delivery point and as the contract's primary pricing location. The CBT further indicates that the proposed discount for delivery at St. Louis is consistent with the existing discount for delivery at Toledo in that, by limiting the opportunity for economical delivery at St. Louis and Toledo, the futures contract could be expected to most frequently price deliveries at Chicago (about 83 percent of the time).¹ The Exchange therefore indicates that establishing the proposed discount for St. Louis at four cents per bushel will have the effect of minimizing the uncertainty of pricing and hedging for traders of the contract, while at the same time increasing the deliverable supply of soybeans available for the contract in situations where deliverable supplies at Chicago are inadequate to meet delivery demands.

Wheat Futures Contract. The CBT proposes the following changes affecting the quality standards and related price differentials: increase the premium for No. 1 Soft Red wheat, No. 1 Hard Red Winter wheat, and No. 1 Dark Northern Spring wheat from one cent to three cents per bushel; and delete No. 3 Soft Red wheat, No. 3 Hard Red Winter wheat, and No. 3 Dark Northern Spring wheat as deliverable grades. The proposal will leave unchanged the par delivery grades, which are No. 2 Soft Red wheat, No. 2 Hard Red Winter wheat, No. 2 Dark Northern Spring wheat, No. 1 Northern Spring wheat. The proposal also will leave unchanged the existing discount of 1 cent per bushel for No. 2 Northern Spring wheat and the maximum moisture standard of 13.5 percent for all deliverable wheat.

¹ In particular, the CBT states that its analysis of soybean cash price differentials between Chicago and St. Louis indicates that approximately 5 percent of total deliveries might be expected at St. Louis with the proposed discount. The Exchange also states that approximately 12 percent of total soybean deliveries might be expected at Toledo under the contract's existing 8-cent-per-bushel discount for soybeans delivered at that location.

In support of the proposed amendments, the CBT states that the changes reflect cash market practices. Specifically, the CBT states that the increase in the premium for all deliverable classes of No. 1 grade wheat, except No. 1 Northern Spring wheat, from one cent to three cents per bushel is consistent with wheat premium and discount schedules currently used by three large milling firms. In addition, the deletion of No. 3 grade wheat of all classes as a deliverable grade will make deliverable wheat more reflective of commercial values in domestic and export markets. The CBT believes that the deletion of this grade of wheat will not reduce significantly deliverable supplies of wheat for the futures contract.

Implementation Plan. The CBT's submissions state that all of the above proposed amendments will be applied only to newly listed contract months following Commission approval.

Focus of Public Comment. The Division specifically solicits comments on the following questions:

(1) To what extent, if any, do the proposed changes in deliverable grades and moisture content standards for corn, soybeans, and wheat reflect cash market conditions and practices?

(2) To what extent, if any, for the proposed quality price differentials for the corn, soybeans, and wheat futures contracts reflect commonly observed or expected commercial price differentials in the cash market?

(3) Regarding the addition of St. Louis as a delivery point for soybeans, to what extent will (a) delivery in warehouse at this location, and (b) delivery at a four-cent discount, reflect commercial marketing channels and pricing practices for soybeans?

(4) To what extent, if any, will the proposed changes in the quality standards and differentials for the corn, soybeans, and wheat futures contracts, and the addition of St. Louis as a delivery point for the soybean futures contract at a four-cent-per bushel discount, affect deliverable supplies for these contracts, and these contracts' susceptibility to price manipulation or market congestion?

Copies of the proposed amendments will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Copies of the amended terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by telephone at (202) 254-6314.

The materials submitted by the CBT in support of the proposed amendments

may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)). Requests for Copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with CFR § 145.7 and § 145.8.

Any person interested in submitting written data, views, or arguments on the proposed amendments should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581 by the specified date.

Issued in Washington, DC on May 24, 1990.

Steven Manaster,
Director.

[FR Doc. 90-12538 Filed 5-30-90; 8:45 am]

BILLING CODE 6531-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board Task Force on Acquisition Streamlining; Meeting

ACTION: Cancellation of meeting.

SUMMARY: The meeting notice for the Defense Science Board Task Force on Acquisition Streamlining scheduled for 17 and 18 May, 1990, as published in the *Federal Register* Vol. 55, No. 76, page 14855, Thursday, April 19, 1990, FR Doc. 90-9053 has been cancelled.

Dated: May 14, 1990.

Linda M. Bynum,
Alternate OSD Federal Register Liaison
Officer, Department of Defense.

[FR Doc. 90-12667 Filed 5-31-90; 8:45 am]

BILLING CODE 3810-01-M

Office of the Secretary of Defense

Defense Advisory Committee on Women in the Services (DACOWITS); Meeting of the Executive Committee

AGENCY: Office of the Secretary, DOD.

ACTION: Notice of meeting.

SUMMARY: Pursuant to Public Law 92-463, notice is hereby given of a forthcoming meeting of the Executive Committee of the (DACOWITS). The purpose of the meeting is to review unresolved resolutions made by the committee at the DACOWITS 1990 Spring Conference; review the Subcommittee Issue Agenda; review the proposed agenda for the DACOWITS

1990 Executive Committee visit overseas; and discuss issues relevant to women in the Services. All meeting sessions will be open to the public.

DATES: June 11, 1990, 9:30 a.m.-4 p.m.

ADDRESSES: SECDEF Conference room 3E869, The Pentagon, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Colonel Mary C. Pruitt, Director, DACOWITS and Military Women Matters, OASD (Force Management and Personnel), The Pentagon, room 3D769, Washington, DC 20301-4000; telephone (202) 697-2122.

Dated: May 14, 1990.

L.M. Bynum,

Alternate OSD Federal Register Liaison
Officer, Department of Defense.

[FR Doc. 90-12668 Filed 5-30-90; 8:45 am]

BILLING CODE 3810-01-M

Department of the Army

Army Science Board; Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following Committee Meeting:

Name of the Committee: Army Science Board (ASB).

Dates of Meeting: 18-23 June 1990.

Time: 0800-1530.

Place: Wright-Patterson AFB, Dayton, OH, American Airlines Maintenance Dept., Tulsa, OK, AVSCOM, St. Louis, MO, Boeing Airlines, Seattle, WA.

Agenda: The Army Science Board (ASB) Summer Study on Reduction of Operations and Support (O&S) Cost will hold a series of briefings. Subjects include: Airforce Pace approach to O&S cost reduction, Airline lessons supporting complex systems in complex systems in a field environment and AVSCOM cost drivers on AH-64 and LH. This meeting will be open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (202) 695-0781/0782.

Sally A. Warner,

Administrative Officer, Army Science Board.

[FR Doc. 90-12580 Filed 5-30-90; 8:45 am]

BILLING CODE 3710-08-M

Corps of Engineers, Department of the Army

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Lower Santa Cruz River Flood Control Study, Pinal County, AZ

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.**SUMMARY:**

Proposed Action. The Los Angeles District will prepare a Draft Environmental Impact Statement (DEIS) to evaluate alternatives for the Lower Santa Cruz River Flood Control Study, Pinal County, Arizona. The action is necessary because the study area has a long history of damaging floods. The EIS process will evaluate proposed solutions to help reduce the potential for flood damages on the Lower Santa Cruz River.

FOR FURTHER INFORMATION CONTACT: Mr. William Burton, CESPL-PD-WC, 3636 North Central, suite 740, Phoenix, Arizona 85012-1936, (602) 640-2003, or Mr. William Butler, CESPL-PD-RN, P.O. Box 2711, Los Angeles, California 90053-2325, (213) 894-0245.

SUPPLEMENTARY INFORMATION:

a. Authority Study authority is provided under the Flood Control Act of 1938 (Pub. L. 75-761, section 6, Gila River and Tributaries, Arizona and New Mexico). The Corps is directed to investigate flooding and to better manage current and future flood problems in the study area.

b. Proposed Action/Alternatives The action/alternatives proposed for further evaluation in the study are:

(1) Diversion of floodwaters to Tat Momolikot Dam and Lake Saint Clair. A diversion structure would divert floodwaters from Greene's Canal westward and south of the Sawtooth Mountains, where the natural drainage course would carry floodwaters to Tat Momolikot.

(2) Construction of detention structures. Several potential sites are under investigation in the upstream study area at the southern end of Pinal County.

(3) Additional alternatives may be developed as the study progresses.

c. Scoping An extensive mailing list has been developed which includes Federal, State and local agencies and other interested public and private organizations and parties. Scoping meetings and public workshops were held during Phase I of the study ending December 1989. Coordination with appropriate Federal, State and local agencies has begun. Public meetings will be held during the review period of the draft EIS. Specific meeting dates, times, and places will be published in local newspapers.

d. Potentially Significant Issues. Potentially significant issues identified include impacts to land and water use, transportation, biological resources including endangered species and

riparian vegetation, recreation, cultural resources and aesthetics.

e. Availability of Draft EIS. The draft EIS is expected to be available to the public in mid-1991 for review and comment.

f. Comments. Comments and questions regarding the study may be addressed to U.S. Army Corps of Engineers, Los Angeles District, ATTN: Mr. William Burton, CESPL-PD-WC, 3636 N. Central Ave., Suite 740, Phoenix, AZ 85012-1936, or Mr. William Butler, CESPL-PD-RN, P.O. Box 2711, Los Angeles, California 90053-2325.

Charles S. Thomas,
Colonel, Corps of Engineers, District Engineer.

[FR Doc. 90-12570 Filed 5-30-90; 8:45 am]

BILLING CODE 3710-K-M

DEPARTMENT OF EDUCATION**Meeting: Education Indicators Special Study Panel**

AGENCY: Department of Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and agenda of a forthcoming meeting of the Special Study Panel on Education Indicators. This notice also describes the functions of the Study Panel. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act.

DATES: June 28, 1990, 9 a.m. to 5:30 p.m. and June 29, 1990, 9 a.m. to 4 p.m.

ADDRESSES: Ramada Renaissance Hotel, Potomac Room, 1143 New Hampshire Avenue NW., Washington, DC 20037.

FOR FURTHER INFORMATION CONTACT: John Ralph, National Center for Education Statistics, 555 New Jersey Avenue NW., Washington, DC 20208-5650, (202) 357-6677.

SUPPLEMENTARY INFORMATION: The Special Study Panel on Education Indicators is established under section 406(g)(3) of the General Education Provisions Act (20 U.S.C. 1221e-1). The Study Panel is established to make recommendations concerning the determination of education indicators. The Study Panel advises the Commissioner of the National Center for Education Statistics on the development of indicators on the current state of the American educational system.

The meeting of the Study Panel is open to the public. The agenda includes the following items: June 28—Review of Study Panel's progress and discussion of workplan; reporting of working groups and panel discussion of indicators within six education issue areas; June

29—continued discussion of appropriate indicators for each issue area; review of indicator development activities.

Records are kept of all Study Panel proceedings and are available for public inspection from 9 a.m. to 5 p.m. at the office of the Study Panel at the National Center for Education Statistics, 555 New Jersey Avenue NW., room 400, Washington, DC 20208.

Christopher T. Cross,
Assistant Secretary for Education Research and Improvement.

[FR Doc. 90-12493 Filed 5-30-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY**Energy Information Administration**

[Form RW-859]

Nuclear Fuel Data: Forms; Availability, etc.

AGENCY: Energy Information Administration, Department of Energy.

ACTION: Notice of proposed revision of the Form RW-859, "Nuclear Fuel Data," and solicitation of comments.

SUMMARY: The Energy Information Administration (EIA), as part of its continuing effort to reduce paperwork and respondent burden (required by the Paperwork Reduction Act of 1980, Pub. L. 96-511, 44 U.S.C. 3501 *et seq.*), conducts a presurvey consultation program to provide the general public and other Federal agencies with an opportunity to comment on proposed and/or continuing reporting forms. This program helps to ensure that requested data can be provided in the desired format, reporting burden is minimized, reporting forms are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, EIA is soliciting comments concerning the proposed revision to the Form RW-859, "Nuclear Fuel Data."

DATES: Written comments must be submitted within 30 days of the publication of this notice. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below of your intention to do so as soon as possible.

ADDRESSES: Send comments to Ms. Kathy Gibbard, Survey Manager, Form RW-859, U.S. Department of Energy, Energy Information Administration (EI-531), 1000 Independence Avenue SW., Washington, DC 20585, (202) 254-5559.

FOR FURTHER INFORMATION OR TO OBTAIN COPIES OF THE PROPOSED FORM AND INSTRUCTIONS: Requests for additional information or copies of the form and instructions should be directed to Ms. Gibbard at the address listed above.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Current Actions
- III. Request for Comments

I. Background

The Nuclear Waste Policy Act (NWPA), 42 U.S.C. 10101 *et seq.*, requires that the Secretary develop and implement programs to dispose of spent nuclear fuel. The Office of Civilian Radioactive Waste Management (OCRWM) uses the information from Form RW-859 to understand and explore the specific requirements of developing and conducting programs to effectuate the purposes of the NWPA.

The EIA administers the Nuclear Fuel Data Form RW-859, which is used to collect data from owners of commercial nuclear power plants and owners and caretakers of spent nuclear fuel. The Federal Energy Administration Act of 1974 (15 U.S.C. 761 *et seq.*) authorizes the EIA to collect data. The current Form RW-859 collects data on every fuel assembly discharged from domestic commercial nuclear reactors, spent fuel projected to be discharged, and spent fuel storage pool inventories and capacities.

II. Current Actions

This action is to implement a minor revision to a definition in the instructions. The form currently expires December 31, 1990.

The new extension will be through December 31, 1993. The DOE is proposing to revise the instruction for the question 2.2(b), Maximum Established Site Capacity in order to clarify its definition so that the DOE can collect accurate data in this area.

The proposed revision to the instruction is as follows:

1. Question 2.2(b)—Maximum Established Spent Fuel Site Capacity Instruction for 2.2(b)—The maximum established spent fuel capacity for the site is defined by the DOE as the maximum number of intact assemblies that will be able to be stored at some point in the future (between the reporting date and the reactor's end of life) taking into account any established or current studies or engineering evaluations, at the time of submittal for licensing approval from the NRC.

III. Request for Comments

Prospective respondents and other interested parties should comment on the proposed revision to the

instructions. The following general guidelines are provided to assist in the preparation of responses.

As a potential respondent:

A. Are the instructions and definitions clear and sufficient? If not, which instructions require clarification?

B. Can the data be submitted using the definitions included in the instructions?

C. Can data be submitted within the response time specified in the instructions?

C. Public reporting burden for this collection is estimated to average 30 hours per response. How much time, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information, do you estimate it will require you to complete and submit the required form?

E. What is the estimated cost of completing this form, including the direct and indirect costs associated with the data collection? Direct costs should include all costs, such as administrative costs, directly attributable to providing this information.

F. How can the form be improved?

G. Do you know of any other Federal, State, or local agency that collects similar data? If you do, specify the agency, the data element(s), and the means of collection.

As a potential user:

A. Can you use data at the level of detail indicated on the form?

B. For what purpose would you use the data? Be specific.

C. How could the form be improved to better meet your specific needs?

D. Are there alternate sources of data and do you use them? What are their strengths and/or weaknesses?

EIA is also interested in receiving comments from persons regarding their views on the need for the information contained in the Nuclear Fuel Data Form RW-859.

Comments submitted in response to this notice will be summarized and/or included in the requests for OMB approval of the form; they also will become a matter of public record.

Authority: Secs. 5(a), 5(b), 13(b), and 52 of Pub. L. 93-275, Federal Energy Administration Act of 1974, 15 U.S.C. 764 (a), (b), 772(b) and 790a.

Issued in Washington, DC May 24, 1990.

Yvonne M. Bishop,

Director, Statistical Standards, Energy Information Administration.

[FR Doc. 90-12638 Filed 5-30-90; 8:45 am]

BILLING CODE 6450-01-M

Form EIA-867, "Annual Nonutility Power Producer Report"

AGENCY: Energy Information Administration, Department of Energy.

ACTION: Notice of proposed revision and extension of the Form EIA-867, "Annual Nonutility Power Producer Report," and solicitation of comments.

SUMMARY: The Energy Information Administration (EIA), as part of its continuing effort to reduce paperwork and respondent burden (required by the Paperwork Reduction Act of 1980, Pub. L. 96-511, 44 U.S.C. 3501 *et seq.*), conducts a presurvey consultation program to provide the general public and other Federal agencies with an opportunity to comment on proposed and/or continuing reporting forms. This program helps to ensure that requested data can be provided in the desired format, reporting burden is minimized, reporting forms are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, EIA is soliciting comments concerning the proposed revision and extension to the Form EIA-867, "Annual Nonutility Power Producer Report."

DATES: Written comments must be submitted within 30 days of the publication of this notice. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below of your intention to do so as soon as possible.

ADDRESSES: Send comments to Ms. Mary Kimbrough, Energy Information Administration, Department of Energy, Mail Stop: EI-541, 1000 Independence Avenue SW., Washington, DC, 20585, Telephone (202) 254-5666.

FOR FURTHER INFORMATION OR TO OBTAIN COPIES OF THE PROPOSED FORM AND INSTRUCTIONS: Requests for additional information or copies of the proposed changes to the form and instructions should be directed to Ms. Kimbrough at the address listed above.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Current Actions
- III. Request for Comments

I. Background

In order to fulfill its responsibilities under the Federal Energy Administration Act of 1974 (Pub. L. 93-275) and the Department of Energy Organization Act (Pub. L. 95-91), the Energy Information Administration is obliged to carry out a central, comprehensive, and unified energy data

and information program which will collect, evaluate, assemble, analyze, and disseminate data and information related to energy resource reserves, production, demand, and technology, and related economic and statistical information relevant to the adequacy of energy resources. To help meet this responsibility, as well as internal DOE requirements that are dependent on accurate data, the EIA is tasked to conduct surveys that encompass every major electric power supply and demand activity in the United States. Nonutility power supply data in terms of generating capacity, actual generation, and fuel consumption are needed by the EIA to support its electric power data collection program.

The EIA will also use the information collected on this form for its forecasting and analysis responsibilities to estimate generating capacity requirements beyond announced plans. Analytical studies include the role of nonutility generation under increased deregulation of the generating system; emergency or brownout conditions due to droughts, storms, and other weather conditions; and overload of the generating system due to extremely high demand.

Another objective of this survey is to collect data that will evaluate PURPA implementation. Under section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA), the Federal Energy Regulatory Commission (FERC) was directed to develop rules to encourage the development of cogeneration and small power production. As of September 30, 1989, a total of 4,870 facilities had filed with the FERC for status as qualifying cogenerators and/or small power producers under PURPA, representing 79 gigawatts of capacity.

II. Current Actions

On January 19, 1990, the Office of Management and Budget (OMB) approved the Form EIA-867 for a one-year collection period. The survey was required of the owner/operator of (1) facilities that has sought status as qualifying facilities (QF's) under PURPA and had, or planned to have, a facility generator nameplate rating of 1 megawatt or more, or (2) non-QF nonutility power producers that owned/operated, or planned to install electric generating equipment with a facility nameplate rating of 1 megawatt or more. Facilities that were 1 megawatt or more but less than 5 megawatts were only required to complete Schedules I and II of the four-schedule form. The forms were mailed to over 2,800 respondents on January 29, 1990, and were due back to the EIA on April 30, 1990.

The EIA will request that the OMB approval be extended for 3 additional years. The Form EIA-867 will be required of the owner/operator of existing and planned QF and non-QF electric generating facilities with a facility generator nameplate rating of 5 megawatts or more; only facilities of 1 megawatt or more, but less than 5 megawatts, that did not report during the 1989 calendar year will be required to submit Schedules I and II for the 1990 and 1991 reporting years. For the 1992 reporting year, all facilities of 1 megawatt or more, but less than 5 megawatts, will have to submit Schedules I and II.

Since this survey was initiated, EIA has received a number of telephone calls from respondents requesting clarification of specific data elements. Minor editorial changes will be made to existing questions for clarification. Examples are as follows:

- Schedule I, item 3. The question will be reworded to make it clear that it only applies to respondents that have applied for QF status before the end of the reporting period, and for which the facility(ies) has/have been built.

- Schedule II, item 2. The question will be revised to specifically include the street address, city, state, and zip code of the facility.

- Schedule II, item 5. The question will be revised to include the name of the electric utility to which a planned facility will be connected if the information is available.

These changes to the form will have no effect on burden, but should reduce the response time by clarifying the data required.

III. Request for Comments

Prospective respondents and other interested parties should comment on the proposed survey within 30 days of the publication of this notice. The following general guidelines are provided to assist in the preparation of responses.

As a potential respondent:

- A. Are the instructions and definitions clear and sufficient? If not, which instructions require clarification?

- B. Can the data be submitted using the definitions included in the instructions?

- C. Can the data be submitted in accordance with the response time specified in the instructions?

- D. Public reporting burden for this collection is estimated to average 3.3 hours per response. How much time, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information,

do you estimate it will require you to complete and submit the form?

- E. What is the estimated cost of completing the form, including the direct and indirect costs associated with the data collection? Direct costs should include all costs, such as administrative costs, directly attributable to providing this information.

- F. How can the form be improved?

Do you know of any other Federal, State, or local agency that collects similar data? If you do, specify the agency, data element(s) and means of collection.

As a potential data user:

- A. Can you use data at the levels of detail indicated on the form?

- B. For what purposes would you use the data? Be specific.

- C. How could the form be improved to better meet your specific needs.

- D. Are there alternate sources of data? What are their deficiencies and/or strengths?

The EIA is also interested in receiving comments from persons regarding their views on the need for the information contained in the Annual Nonutility Power Producer Report.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the form; they also will become a matter of public record.

Authority: Sec. 5(a), 5(b), 13(b), and 52, Pub. L. 93-275, Federal Energy Administration Act of 1974, 15 U.S.C. 764(a), 764(b), 772(b) and 790a, and Section 205, Pub. L. 95-91, Department of Energy Organization Act, 42 U.S.C. 7135.

Issued in Washington, DC May 24, 1990.

Yvonne M. Bishop,

Director, Statistical Standards, Energy Information Administration.

[FR Doc. 90-12627 Filed 5-30-90; 8:45 am]

BILLING CODE 6450-01-M

Office of Conservation and Renewable Energy

Objective Merit Review of Discretionary Financial Assistance Applications

AGENCY: Department of Energy.

ACTION: Notice of review procedures.

SUMMARY: This Notice establishes the procedures followed by program offices under the purview of the Assistant Secretary for Conservation and Renewable Energy (ASCE) in conducting the objective merit review of discretionary financial assistance applications and implements the ruling

(54 FR 41943), 10/13/89, which revised the Department of Energy (DOE) Financial Assistance Rules (10 CFR part 600).

EFFECTIVE DATE: Effective May 31, 1990.

FOR FURTHER INFORMATION CONTACT:

Anita DeVine, Conservation and Renewable Energy (CE-43), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-1265.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. Definition of Merit Review
- III. Applicability of Notice
- IV. Distinction between Solicited and Unsolicited Proposals
- V. The Merit Review Process for Solicited Proposals
- VI. The Merit Review Process for Unsolicited Proposals
- VII. Deviations

I. Introduction

The Department of Energy (DOE) today gives notice of the procedures for the objective merit review of discretionary financial assistance in the Offices of the Assistant Secretary for Conservation and Renewable Energy.

II. Definition of Merit Review

Merit review is the process of evaluating applications for discretionary financial assistance using predetermined criteria. The review is thorough, consistent and independent and is completed by individuals with expert knowledge in the field in question. The purpose of the review is to provide advice on the merits of applications to the Program Official with decision-making authority (the Selecting Official) over the award of discretionary financial assistance.

III. Applicability of Notice

These procedures cover the evaluation of all discretionary financial assistance applications within the programs of the DOE Office of Conservation and Renewable Energy (CE) and applies to both solicited and unsolicited proposals.

IV. Distinction between Solicited and Unsolicited Proposals

Solicited proposals are direct responses by interested organizations or individuals to published invitations issued by DOE for applications for discretionary financial assistance awards. When a proposal is submitted solely on the proposer's initiative and not in response to a DOE solicitation, the proposal is considered an unsolicited proposal. The two types of proposals are treated differently, as

described below, although both are subject to objective merit review procedures.

V. The Merit Review Process for Solicited Proposals

(a) *Criteria for review.* (1) A preliminary screening of applications for compliance with programmatic and policy factors may be completed prior to a merit review.

(2) The criteria used for the evaluation of solicited applications must also be clearly stated in the solicitation along with the relative importance given to each criterion. These criteria, and other mandatory information specified in 10 CFR 600.9, must be in the solicitation.

(b) *The Review Committee.* (1) The ASCE has the ultimate responsibility for appointments to a merit review committee. The ASCE has delegated the appointment authority to the Deputy Assistant Secretaries (DAS) who are the Selecting Officials. The DAS's may redelegate both appointment and decision-making authority (the Selecting Official) to their Office Directors or an equivalent level at the field offices.

(2) The Selecting Official must appoint one member of the merit review committee to serve as chairperson. The chairperson is responsible for:

(i) Obtaining signed Certificates of Confidentiality from all the committee members;

(ii) Preparing the written summary of the evaluation and recommendation for the Selecting Official for the applicant's file; and

(iii) Conducting the merit review duties of a regular committee member.

(3) The Selecting Official must provide written approval for a merit review committee consisting of only one member. This sole committee member would discharge all the responsibilities of the chairperson listed above. However, the Selecting Official may in no case serve as the sole committee member.

(4) A committee may consist of only one member under the following circumstances:

(i) After an exhaustive search, only one person has been found to be technically qualified to evaluate the proposals;

(ii) The length of time required to recruit available and qualified review committee members impedes timely decision-making; or

(iii) Conflicts of interest limit the availability of qualified review committee members to one person.

(5) The designated Contracting Officer's Representative (COR) may serve on the committee with the written approval of his or her supervisor. The

committee members may be a mixture of federal or non-federal experts. The committee, when possible, should consist of a least three qualified persons from outside the program office in addition to the designated COR, if the designated COR serves on the committee. When possible, the additional members of the merit review committee should exclude anyone who, on behalf of the Federal Government, performs any of the following functions:

(i) Providing substantial technical assistance to the applicant;

(ii) Approving/disapproving or having any decision-making role regarding the application;

(iii) Serving as the project officer or otherwise monitoring or evaluating the recipient's programmatic performance;

(iv) Serving as the Contracting Officer or performing business management functions for the project;

(v) Auditing the recipient for the project; or

(vi) Exercising line authority over anyone ineligible to serve as a reviewer because of the above limitations.

(6) CE program offices primarily use ad hoc committees for merit review due to the nature of their program solicitations. Such solicitations have generally been issued to meet specific program objectives with time or subject limitations. Ad hoc committees are also appropriate under the following circumstances:

(i) For small numbers of applications received intermittently;

(ii) For programs of short duration, usually under one year; and

(iii) For applications with special review requirements.

(7) The regular use of ad hoc committee does not preclude the use of standing committees under the following circumstances:

(i) When required by legislation;

(ii) When a sufficient number of applications on a specific topic are received regularly and there is a sufficient number of experts willing and able to serve on the committee for a prolonged tenure (however, when the volume of applications is very large, CE will convene an ad hoc committee in addition to the standing committee); and

(iii) When the legislative authority for the particular program involved extends for more than one year. At least half the members of a standing committee must be from outside the cognizant program office unless a deviation has been approved in accordance with 10 CFR 600.16(g).

(8) Field readers may be used as an adjunct to or as a substitute for a review committee. Field readers must be fully

briefed by the designated COR so as to understand the process including the review criteria, the weight given each criterion, and the fact that criteria unspecified in the solicitation are not to be used to evaluate the applications. The field readers must sign a Certificate of Confidentiality. In cases when a standing committee would have been appropriate for the review, but field readers are used instead, they should follow, as closely as possible, the same procedures as would have been used by the standing committee. For example, if the standing committee were to review applications against each other in batches, then the field readers should do the same.

(c) *Conflict of interest and intellectual property rights.* Members of the review committee must act in a manner consistent with 10 CFR 1010.101 (a) and comply with 1010.302 (a)(1). Reviewers who do not meet these requirements must not review, discuss, or make recommendations concerning the application. Review committee members with a conflict of interest must also absent themselves from all meetings in which the application in question is discussed.

(d) *Authority beyond evaluation.* The Selecting Official may decide not to accept the recommendations from the review committee due to programmatic or policy considerations. The explanation for the decision not to accept the recommendation must be documented in writing for the applicant's file whether the committee recommendation was favorable or unfavorable. The explanation, file for both solicited and unsolicited proposals, must be prepared and signed by the Selecting Official and approved by the ASCE or his designee.

(e) *Written evaluation summary.* Upon request, applicants are to be furnished a written summary of the evaluation of their application.

VI. The Merit Review Process for Unsolicited Proposals

(a) *Confidentiality and intellectual property rights.* Reviewers of unsolicited proposals are bound by the same confidentiality obligations as are reviewers of solicited proposals. However, program managers must also comply with regulations on intellectual property when dealing with the contents of unsolicited proposals, and must protect the contents and avoid discussing the substance of an unsolicited proposal with unauthorized persons, unless the information in the proposal is unrestricted information available from other sources.

(b) *Initial evaluation.* Upon receipt of the unsolicited proposal, a general evaluation is to be performed based on policy and programmatic factors.

(c) *Merit review of an unsolicited proposal.* If the unsolicited proposal is initially favorably evaluated against policy and programmatic factors, it should be considered for merit review for discretionary financial assistance under one of the following procedures:

(1) If the subject matter of the unsolicited proposal falls within the scope of an existing solicitation issued by a CE program office, then the unsolicited proposal is competitively evaluated as if it were a solicited proposal responding to that particular solicitation, and existing merit review procedures established for that particular solicitation will apply;

(2) If the unsolicited proposal does not fall within the scope of an existing solicitation, it may be batched together with other unsolicited proposals dealing with the same subject matter and competitively evaluated against each other. This procedure is intended to enhance the validity of the evaluation and rating process. In such an instance, the set of similar unsolicited proposals undergoes a merit review procedure by a review committee using criteria set forth in 10 CFR 600.14. The composition and conduct of the committee are subject to the same rules as those for committees reviewing solicited proposals.

(3) If an unsolicited proposal does not fit within an existing solicitation, nor can be readily batched with others, but has received a positive preliminary screening for policy and programmatic factors, it then undergoes merit review by a review committee using the same procedures as in (2) above.

VII. Deviations

If a CE program office wants to deviate from these procedures for merit review of an application or a class of applications, but will still follow the rules of 10 CFR 600.16, that office must obtain written permission from the ASCE. Permission to use procedures which deviate not only from these CE merit review procedures, but also from the rules of 10 CFR 600.16, must be requested in writing to the responsible DOE Contracting Officer. The Head of Contracting Activity has the authority to approve such procedures for a single case deviation, while the Director, Procurement and Assistance Management Directorate, has the authority to approve a class deviation. In general, a deviation may be authorized only upon written determination that the deviation is

necessary for any of the reasons set forth in 10 CFR 600.4(b).

Issued in Washington, DC, May 10, 1990.

J. Michael Davis,

Assistant Secretary, Conservation and Renewable Energy.

[FR Doc. 90-12626 Filed 5-30-90; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3783-5]

Regulation of Fuels and Fuel Additives; Definition of Substantially Similar

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In a March 9, 1990 submission, as clarified by letter dated May 1, 1990, the Oxygenated Fuels Association, Inc. (OFA) requested that the Environmental Protection Agency (EPA) revise an interpretive rule defining the term "substantially similar" fuel, as used in section 211(f)(1) of the Clean Air Act [Act]. Under EPA's current definition a substantially similar unleaded gasoline can contain no more than 2.0 percent (weight) oxygen. The request asks EPA to revise the rule by expanding the allowable oxygen content from 2.0 percent to 2.7 percent (weight) for generic blends of certain alcohols and ethers. This Notice announces receipt of the OFA request, and invites public comment on whether the Administrator should grant or deny it.

DATES: Comments should be submitted on or before July 2, 1990.

ADDRESSES: Comments should be sent, in duplicate, to Docket No. A-90-08 at EPA's Air Docket (LE-131), room M-1500, 1st Floor Waterside Mall, 401 M Street, SW., Washington, DC (202) 382-7548. This docket is open for public inspection from 8:30 a.m. to 12 noon and from 1:30 p.m. to 3:30 p.m. As provided in 40 CFR part 2, reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT:

John T. Hannon, Attorney/Advisor, Field Operations and Support Division (EN-397F), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 382-2661.

SUPPLEMENTARY INFORMATION: Section 211(f)(1) of the Act makes it unlawful, effective March 31, 1977, for any manufacturer of a fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any

fuel or fuel additive for general use in light duty motor vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 206 of the Act. An EPA interpretive rule, published at 46 FR 38582 (July 28, 1981), defines the term "substantially similar" for unleaded gasolines. Under this definition, an unleaded gasoline must meet several conditions in order to be considered substantially similar. It must contain no more than 2.0 percent oxygen by weight. In addition, the fuel must be composed of only hydrocarbons, aliphatic ethers, aliphatic alcohols other than methanol, methanol (with certain restrictions), and fuel additives (with restrictions on concentration and sulfur content). The fuel must also comply with the physical and chemical specifications of the American Society for Testing and Materials (ASTM) Standard D 439 for at least one of the Seasonal and Geographical Volatility classes specified in the standard. Further conditions are described in the interpretive rule.

OFA seeks a revision of this definition that would allow the use of any combination of aliphatic alcohols (except methanol) and/or aliphatic ethers, up to 2.7 percent oxygen by weight. The requested revision also requires fuels to meet ASTM D 4814 specifications (Standard Specification for Automotive Spark-Ignition Engine Fuel) in its entirety.

EPA invites comment from all interested parties on whether the Administrator should grant or deny this request.

Dated: May 21, 1990.

Michael Shapiro,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 90-12621 Filed 5-30-90; 8:45 am]

BILLING CODE 6560-50-M

[FRL-3783-2]

Underground Injection Control Program Hazardous Waste Disposal Injection Restrictions; Petition for Exemption—Class I Hazardous Waste Injection; BP Chemicals, Port Lavaca, TX

AGENCY: Environmental Protection Agency.

ACTION: Notice of final decision on petition.

SUMMARY: Notice is hereby given that an exemption to the land disposal

restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act has been granted to BP Chemicals, for the Class I injection wells located at Port Lavaca, Texas. As required by 40 CFR part 148, the company has adequately demonstrated to the satisfaction of the Environmental Protection Agency by petition and supporting documentation that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. This final decision allows the underground injection by BP Chemicals, of the specific restricted hazardous waste identified in the petition, into the Class I hazardous waste injection wells at the Port Lavaca facility specifically identified in the petition, for as long as the basis for granting an approval of the petition remains valid, under provisions of 40 CFR 148.24. As required by 40 CFR 124.10, a public notice was issued March 16, 1990. A public hearing was held April 23, 1990, and a public comment period ended on April 30, 1990. All comments have been addressed and have been considered in the final decision. This decision constitutes final Agency action and there is no Administrative appeal.

DATES: This action is effective as of May 17, 1990.

ADDRESSES: Copies of the petition and all pertinent information relating thereto are on file at the following location: Environmental Protection Agency, Region 6, Water Management Division, Water Supply Branch (6W-SU), 1445 Ross Avenue, Dallas, Texas 75202-2733.

FOR FURTHER INFORMATION CONTACT: Oscar Cabra, Jr., Chief Water Supply Branch, EPA—Region 6, telephone (214) 655-7150, (FTS) 255-7150.

Myron O. Knudson,

Director, Water Management Division (6W).

[FR Doc. 90-12624 Filed 5-30-90; 8:45 am]

BILLING CODE 6560-50-M

(FRL-3783-7)

Science Advisory Board Environmental Engineering Committee; Meetings

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Science Advisory Board's (SAB's) Environmental Engineering Committee (EEC) will meet on June 26 and 27, 1990 in the Environmental Protection Agency (EPA) Institute and Conference Center, 2nd Floor (Mezzanine) of EPA's Region 8 Office, 999 18th Street, Denver, Colorado 80202-2405. The meeting will begin at 9

a.m. on Tuesday and 8:30 a.m. on Wednesday and adjourn no later than 5:30 p.m. on Tuesday and 4 p.m. on Wednesday.

The purpose of the meeting is to review several draft reports, discuss progress with on-going projects and to develop the Fiscal 1991 meeting schedule of the EEC. The draft reports in progress include the SAB comments on EPA's Municipal Solid Waste Research program, EPA's Core Research Program on Risk Reduction, and the EEC's Self-Initiated Resolution on Leachability. Other agenda items include discussion as time permits of possible Fiscal Year 1991 review topics, such as a proposed review of a remedial action at a Superfund site, Office of Research and Development (ORD) White Paper on global climate issues, ORD research plans for bioremediation technology development, Research-In-Progress Reviews on sulfite corrosion, drinking water treatment by-products, and the EPA's wood stove program. There also may be discussion of followup by the SAB on refinements and specifics regarding implementation of the Agency's pollution prevention program.

The meeting is open to the public. Any member of the public wishing further information on the meeting or those who wish to submit written comments should contact Dr. K. Jack Kooyoomjian, Designated Federal Official, or Mrs. Marcy Jolly, Secretary, Science Advisory Board, (A101F), U.S. Environmental Protection Agency, Washington, DC 20460, at 202/382-2552 by June 18, 1990. Seating at the meeting will be on a first come basis.

Dated: May 23, 1990.

Donald G. Barnes,

Director, Science Advisory Board.

[FR Doc. 90-12623 Filed 5-30-90; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-51749; FRL 3767-9]

Toxic and Hazardous Substances; Certain Chemicals Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section

5(a)(1) premanufacture notices are discussed in the final rule published in the Federal Register of May 13, 1983 (48 FR 21722). This notice announces receipt of 361 such PMNs and provides a summary of each.

DATES: Close of Review Periods:

P 90-750, June 23, 1990.
 P 90-751, July 25, 1990.
 P 90-752, 90-753, 90-754, 90-755, 90-756, 90-757, 90-758, 90-759, 90-760, 90-761, 90-762, 90-763, 90-764, 90-765, 90-766, 90-767, 90-768, 90-769, 90-770, 90-771, 90-772, 90-773, 90-774, 90-775, 90-776, 90-777, 90-778, 90-779, 90-780, 90-781, 90-782, 90-783, 90-784, 90-785, 90-786, 90-787, 90-788, June 23, 1990.
 P 90-789, July 28, 1990.
 P 90-790, 90-791, 90-792, 90-793, 90-794, 90-795, 90-796, 90-797, 90-798, 90-799, June 23, 1990.
 P 90-800, July 28, 1990.
 P 90-801, 90-802, June 23, 1990.
 P 90-803, 90-804, July 28, 1990.
 P 90-805, 90-806, 90-807, 90-808, 90-809, 90-810, 90-811, 90-812, 90-813, 90-814, 90-815, 90-816, 90-817, 90-818, 90-819, 90-820, 90-821, 90-822, 90-823, 90-824, 90-825, 90-826, 90-827, 90-828, 90-829, 90-830, 90-831, 90-832, 90-833, 90-834, 90-835, 90-836, 90-837, 90-838, 90-839, 90-840, 90-841, 90-842, 90-843, 90-844, 90-845, 90-846, June 23, 1990.
 P 90-847, 90-848, July 21, 1990.
 P 90-849, 90-850, 90-851, 90-852, 90-853, 90-854, 90-855, 90-856, 90-857, 90-858, June 23, 1990.
 P 90-859, July 21, 1990.
 P 90-860, June 23, 1990.
 P 90-861, July 29, 1990.
 P 90-862, 90-863, 90-864, 90-865, 90-866, 90-867, 90-869, 90-870, 90-871, 90-872, 90-873, 90-874, 90-875, 90-876, 90-877, 90-878, 90-879, 90-880, 90-881, 90-882, 90-883, 90-884, 90-885, 90-886, 90-887, 90-889, 90-890, 90-891, 90-892, 90-893, 90-894, 90-895, 90-896, 90-897, 90-898, 90-899, 90-900, 90-901, 90-902, 90-903, 90-904, 90-905, 90-906, 90-907, 90-908, 90-909, 90-910, 90-911, 90-912, 90-913, June 23, 1990.
 P 90-914, July 30, 1990.
 P 90-915, June 23, 1990.
 P 90-916, July 30, 1990.
 P 90-917, June 23, 1990.
 P 90-918, July 30, 1990.
 P 90-919, 90-920, 90-921, 90-922, 90-923, 90-924, 90-925, 90-926, June 23, 1990.
 P 90-927, 90-928, 90-929, 90-930, July 21, 1990.
 P 90-931, 90-932, 90-933, 90-934, 90-935, 90-936, 90-937, 90-938, 90-939, 90-940, 90-941, 90-942, 90-943, 90-944, 90-945, 90-946, 90-947, 90-948, June 23, 1990.
 P 90-950, 90-951, 90-952, 90-953, 90-954, 90-955, July 21, 1990.

P 90-956, 90-957, June 23, 1990.
 P 90-958, 90-959, 90-960, 90-961, 90-962, July 21, 1990.
 P 90-963, August 6, 1990.
 P 90-964, 90-965, 90-966, 90-967, 90-968, 90-969, 90-970, 90-971, 90-972, 90-973, 90-974, 90-975, 90-976, 90-978, 90-979, 90-980, 90-981, July 21, 1990.
 P 90-982, August 7, 1990.
 P 90-985, July 29, 1990.
 P 90-986, 90-987, July 21, 1990.
 P 90-988, July 29, 1990.
 P 90-989, 90-990, 90-991, 90-992, 90-993, 90-994, 90-995, 90-996, 90-997, 90-998, 90-999, 90-1000, 90-1001, 90-1002, 90-1003, 90-1004, 90-1005, 90-1006, 90-1007, 90-1008, 90-1009, 90-1010, 90-1011, 90-1012, 90-1013, 90-1014, 90-1015, 90-1016, 90-1017, 90-1018, 90-1019, 90-1020, 90-1021, 90-1022, 90-1023, 90-1024, 90-1025, 90-1026, 90-1027, 90-1028, 90-1029, 90-1030, 90-1031, 90-1032, 90-1033, 90-1034, 90-1035, 90-1036, 90-1037, 90-1038, 90-1039, 90-1040, 90-1041, 90-1042, 90-1043, 90-1044, 90-1045, 90-1046, 90-1047, 90-1048, 90-1049, 90-1050, 90-1051, 90-1052, 90-1053, 90-1054, 90-1055, 90-1056, 90-1057, 90-1058, 90-1059, 90-1060, 90-1061, 90-1062, 90-1063, 90-1064, 90-1065, 90-1066, 90-1067, 90-1068, 90-1069, 90-1070, 90-1071, 90-1072, 90-1073, 90-1074, 90-1075, 90-1076, 90-1077, 90-1078, 90-1079, 90-1080, 90-1081, 90-1082, 90-1083, 90-1084, 90-1085, 90-1086, 90-1087, 90-1088, 90-1089, 90-1090, 90-1091, 90-1092, 90-1093, 90-1094, 90-1095, 90-1096, 90-1097, 90-1098, 90-1099, 90-1100, 90-1101, 90-1102, 90-1103, 90-1104, 90-1105, 90-1106, 90-1107, 90-1108, 90-1109, 90-1110, 90-1111, 90-1113, 90-1114, 90-1115, July 21, 1990.

Written comments by:

P 90-750, May 24, 1990.
 P 90-751, June 25, 1990.
 P 90-752, 90-753, 90-754, 90-755, 90-756, 90-757, 90-758, 90-759, 90-760, 90-761, 90-762, 90-763, 90-764, 90-765, 90-766, 90-767, 90-768, 90-769, 90-770, 90-771, 90-772, 90-773, 90-774, 90-775, 90-776, 90-777, 90-778, 90-779, 90-780, 90-781, 90-782, 90-783, 90-784, 90-785, 90-786, 90-787, 90-788, May 24, 1990.
 P 90-789, June 28, 1990.
 P 90-790, 90-791, 90-792, 90-793, 90-794, 90-795, 90-796, 90-797, 90-798, 90-799, May 24, 1990.
 P 90-800, June 28, 1990.
 P 90-801, 90-802, May 24, 1990.
 P 90-803, 90-804, June 28, 1990.
 P 90-805, 90-806, 90-807, 90-808, 90-809, 90-810, 90-811, 90-812, 90-813, 90-814, 90-815, 90-816, 90-817, 90-818, 90-819, 90-820, 90-821, 90-822, 90-823, 90-824, 90-825, 90-826, 90-827, 90-828, 90-829, 90-830, 90-831, 90-832, 90-833, 90-834, 90-835, 90-836, 90-837, 90-838, 90-839, 90-840, 90-841, 90-842, 90-843, 90-844, 90-845, 90-846, May 24, 1990.

P 90-847, 90-848, June 21, 1990.
 P 90-849, 90-850, 90-851, 90-852, 90-853, 90-854, 90-855, 90-856, 90-857, 90-858, May 24, 1990.
 P 90-859, June 21, 1990.
 P 90-860, May 24, 1990.
 P 90-861, June 29, 1990.
 P 90-862, 90-863, 90-864, 90-865, 90-866, 90-867, 90-869, 90-870, 90-871, 90-872, 90-873, 90-874, 90-875, 90-876, 90-877, 90-878, 90-879, 90-880, 90-881, 90-882, 90-883, 90-884, 90-885, 90-886, 90-887, 90-889, 90-890, 90-891, 90-892, 90-893, 90-894, 90-895, 90-896, 90-897, 90-898, 90-899, 90-900, 90-901, 90-902, 90-903, 90-904, 90-905, 90-906, 90-907, 90-908, 90-909, 90-910, 90-911, 90-912, 90-913, May 24, 1990.
 P 90-914, June 30, 1990.
 P 90-915, May 24, 1990.
 P 90-916, June 30, 1990.
 P 90-917, May 24, 1990.
 P 90-918, June 30, 1990.
 P 90-919, 90-920, 90-921, 90-922, 90-923, 90-924, 90-925, 90-926, May 24, 1990.
 P 90-927, 90-928, 90-929, 90-930, June 21, 1990.
 P 90-931, 90-932, 90-933, 90-934, 90-935, 90-936, 90-937, 90-938, 90-939, 90-940, 90-941, 90-942, 90-943, 90-944, 90-945, 90-946, 90-947, 90-948, May 24, 1990.
 P 90-950, 90-951, 90-952, 90-953, 90-954, 90-955, June 21, 1990.
 P 90-956, 90-957, May 24, 1990.
 P 90-958, 90-959, 90-960, 90-961, 90-962, June 21, 1990.
 P 90-963, July 7, 1990.
 P 90-964, 90-965, 90-966, 90-967, 90-968, 90-969, 90-970, 90-971, 90-972, 90-973, 90-974, 90-975, 90-976, 90-978, 90-979, 90-980, 90-981, June 21, 1990.
 P 90-982, July 8, 1990.
 P 90-985, June 29, 1990.
 P 90-986, 90-987, June 21, 1990.
 P 90-988, June 29, 1990.
 P 90-989, 90-990, 90-991, 90-992, 90-993, 90-994, 90-995, 90-996, 90-997, 90-998, 90-999, 90-1000, 90-1001, 90-1002, 90-1003, 90-1004, 90-1005, 90-1006, 90-1007, 90-1008, 90-1009, 90-1010, 90-1011, 90-1012, 90-1013, 90-1014, 90-1015, 90-1016, 90-1017, 90-1018, 90-1019, 90-1020, 90-1021, 90-1022, 90-1023, 90-1024, 90-1025, 90-1026, 90-1027, 90-1028, 90-1029, 90-1030, 90-1031, 90-1032, 90-1033, 90-1034, 90-1035, 90-1036, 90-1037, 90-1038, 90-1039, 90-1040, 90-1041, 90-1042, 90-1043, 90-1044, 90-1045, 90-1046, 90-1047, 90-1048, 90-1049, 90-1050, 90-1051, 90-1052, 90-1053, 90-1054, 90-1055, 90-1056, 90-1057, 90-1058, 90-1059, 90-1060, 90-1061, 90-1062, 90-1063, 90-1064, 90-1065, 90-1066, 90-1067, 90-1068, 90-1069, 90-1070, 90-1071, 90-1072, 90-1073, 90-1074, 90-1075, 90-1076, 90-1077, 90-1078, 90-1079, 90-1080, 90-1081, 90-1082, 90-1083,

90-1084, 90-1085, 90-1086, 90-1087, 90-1088, 90-1089, 90-1090, 90-1091, 90-1092, 90-1093, 90-1094, 90-1095, 90-1096, 90-1097, 90-1098, 90-1099, 90-1100, 90-1101, 90-1102, 90-1103, 90-1104, 90-1105, 90-1106, 90-1107, 90-1108, 90-1109, 90-1110, 90-1111, 90-1113, 90-1114, 90-1115, June 21, 1990.

ADDRESSES: Written comments, identified by the document control number "(OPTS-51748)" and the specific PMN number should be sent to: Document Processing Center (TS-790), Office of Toxic Substances, Environmental Protection Agency, 401 M Street, SW., Room L-100, Washington, DC, 20460, (202) 382-3532.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, Room EB-44, 401 M Street, SW., Washington, DC 20460 (202) 554-1404, TDD (202) 554-0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the Public Reading Room NE-G004 at the above address between 8 a.m. and 4 p.m., Monday through Friday, excluding legal holidays.

P 90-750

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-751

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-752

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-753

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-754

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-755

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-756

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-757

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-758

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-759

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-760

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-761

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-762

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-763

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-764

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-765

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-766

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-767

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-768

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-769

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-770

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-771

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-772

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-773

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-774

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-775

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-776

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-777

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-778

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-779

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-780

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-781

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-782

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-783

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-784

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-785

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-786

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-787

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential

Manufacturer. S. C. Johnson & Son, Inc.
Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.
Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 96-937

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-938

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-939

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-940

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-941

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-942

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-943

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-944

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-945

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-946

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-947

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-948

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-950

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-951

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-952

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-953

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-954

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-955

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-956

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-957

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-958

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-1109

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-1110

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-1111

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-1113

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-1114

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

P 90-1115

Manufacturer. S. C. Johnson & Son, Inc.

Chemical. (G) Acrylic copolymers and salts thereof: styrene/acrylic copolymers and salts thereof.

Use/Production. (G) Aqueous emulsion copolymer. Prod. range: Confidential.

Dated: May 23, 1990.

Steven Newburg-Rinn,

Acting Director, Information Management Division, Office of Toxic Substances.

[FR Doc. 90-12511 Filed 5-30-90; 8:45 a.m.]

BILLING CODE 6560-50-D

FEDERAL COMMUNICATIONS COMMISSION

[DA 90-749]

Invitation To Comment on Alabama Public Safety Plan

May 23, 1990.

The Commission has received the public safety radio communications plan for Alabama (Region 1).

In accordance with the Commission's Report and Order in General Docket No. 87-112 implementing the Public Safety National Plan, parties are hereby given thirty days from the date of Federal Register publication of this public notice to file comments and fifteen days to reply to any comments filed. (See Report and Order, General Docket No. 87-112, 3 FCC Rcd 905 (1987), at paragraph 54.)

In accordance with the Commission's Memorandum Opinion and Order In General Docket No. 87-112, Region 1 consists of the State of Alabama. General Docket No. 87-112, 3 FCC Rcd 2113 (1988).

Comments should be clearly identified as submissions to General Docket 90-280, Alabama—Region 1, and commenters should send an original and five copies to the Secretary, Federal Communications Commission, Washington, DC 20554.

Questions regarding this public notice may be directed to Maureen Cesaitis, Private Radio Bureau, (202) 632-6497 or Fred Thomas, Office of Engineering and Technology, (202) 653-8112.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 90-12494 Filed 5-30-90; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed; Maryland Port Administration/Polish Ocean Lines Terminal Agreement et al.

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street NW., room 10220. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements for comments are found in § 572.603 of title

46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224-200359

Title: Maryland Port Administration/Polish Ocean Lines Terminal Agreement.

Parties:

Maryland Port Administration (MPA).
Polish Ocean Lines (POL).

Synopsis: The Agreement provides for MPA to pay POL an incentive of \$3.00 per loaded container and \$.40 per ton for Ro/Ro cargo. The incentive is restricted to such cargo coming into or going out of the MPA marine terminals by waterborne movement. The Agreement's term expires December 31, 1990.

Agreement No.: 224-200360

Title: Maryland Port Administration/Atlantic Container Line, B.V. Terminal Agreement.

Parties:

Maryland Port Administration (MPA).
Atlantic Container Line, B.V.
(Atlantic).

Synopsis: The Agreement provides for MPA to pay Atlantic an incentive of \$3.00 per loaded container and \$.40 per ton for Ro/Ro cargo. The incentive is restricted to such cargo coming into or going out of the MPA marine terminals by waterborne movement. The Agreement's term expires December 31, 1990.

Agreement No.: 224-200361

Title: Maryland Port Administration/L & C III, Ltd. Terminal Agreement.

Parties:

Maryland Port Administration (MPA)
L & C III, Ltd.

Synopsis: The Agreement provides for MPA to pay L & C III, LTD. an incentive of \$3.000 per loaded container and \$.40 per ton for Ro/Ro cargo. The incentive is restricted to such cargo coming into or going out of the MPA marine terminals by waterborne movement. The Agreement's term expires December 31, 1990.

Agreement No.: 224-200362

Title: Maryland Port Administration/L & C III, Ltd. Terminal Agreement.

Parties:

Maryland Port Administration (MPA)
L & C III, Ltd.

Synopsis: The Agreement provides for MPA to pay L & C III, LTD. an incentive of \$3.000 per loaded container and \$.40 per ton for Ro/Ro cargo. The incentive is

restricted to such cargo coming into or going out of the MPA marine terminals by waterborne movement. The Agreement's term expires December 31, 1990.

Agreement Nos.: 224-200363, 224-200363-001, 224-200363-002, 224-200363-003 and 224-200363-004

Title: Philadelphia Port Corporation/Independent Pier Company Marine Terminal Lease Agreement.

Parties:

Philadelphia Port Corporation (PPC)
Independent Pier Company (IPC).

Synopsis: Agreement No. 224-200363 ("Basic Lease") provides for the lease of certain maritime terminal facilities located at Pier 80 South in the Port of Philadelphia. Under this lease PPC grants IPC exclusive right to use these facilities for the loading, discharge, transfer and storage of cargo. Agreement No. 224-200363-001 provides for the lease of additional land (approximately one acre) adjoining Pier 80 South. Agreement No. 224-200363-002 extends the term of the Basic Lease and increases the annual rental from \$263,004 to \$277,200. Agreement No. 224-200363-003 provides for the lease of an additional cargo container handling area, Pier 78 South Annex Buildings 1 & 2 (Pier 78 Annex). Agreement No. 224-200363-004 extends the term of the Basic Lease on a month-to-month basis until terminated by either party giving the other 30 days' written notice and provides a monthly rental of \$23,100.

By order of the Federal Maritime Commission.

Dated: May 25, 1990.

Joseph C. Polking,

Secretary.

[FR Doc. 90-12629 Filed 5-30-90; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

[Docket No. R-0693]

RIN 7100-AA76

Proposal To Modify the Payments System Risk Reduction Program; Bankers' Banks, Edge Corporations, and Zero-Imposed Cap Institutions

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Request for comment.

SUMMARY: As part of its payments system risk reduction program, the Board is requesting comment on a proposed risk reduction policy that would prohibit bankers' banks and Edge corporations from incurring funds or

book-entry overdrafts on Fedwire. Under the proposed policy, Reserve Banks would assess a penalty fee when these or other institutions with imposed zero caps incur inadvertent daylight or overnight overdrafts on Fedwire.

DATES: Comments must be submitted on or before July 31, 1990.

ADDRESSES: Comments, which should refer to Docket No. R-0693, may be mailed to the Board of Governors of the Federal Reserve System, 20th and C Streets, NW, Washington, DC 20551, Attention: Mr. William W. Wiles, Secretary; or may be delivered to Room B-2223 between 8:45 a.m. and 5 p.m. All comments received at the above address will be included in the public file and may be inspected at Room B-1122 between 8:45 a.m. and 5:15 p.m.

FOR FURTHER INFORMATION CONTACT: Edward C. Ettin, Deputy Director, Division of Research and Statistics (202/452-3368); Bruce J. Summers, Associate Director (202/452-2231) or Florence M. Young, Assistant Director (202/452-3955), Division of Federal Reserve Bank Operations; Oliver I. Ireland, Associate General Counsel (202/452-3625) or Stephanie Martin, Attorney (202/452-3198), Legal Division; for the hearing impaired only: Telecommunications Device for the Deaf, Earnestine Hill or Dorothea Thompson (202/452-3544).

SUPPLEMENTARY INFORMATION: In April 1985, the Board adopted a policy to reduce the risks that large-dollar payments systems, including Fedwire, presented to the Federal Reserve Banks, to the depository institutions¹ using them, to the banking system, and to other sectors of the economy (50 FR 21120, May 22, 1985). This policy, in effect, established a maximum amount of intraday funds overdrafts, or intraday credit exposure, that depository institutions are permitted to incur over both Fedwire and private large-dollar payments systems². The maximum, or cap, is a multiple of a depository institution's capital³ and is based on the depository institution's self-assessment of its own creditworthiness, credit policies, and operational controls. The guidelines for performing the self-assessment were established by the Board, and the documentation

¹ References to depository institutions include trust companies.

² Assuming settlement finality is adopted on the Clearing House Interbank Payments System ("CHIPS"), the cap will apply to Fedwire overdrafts only as of January 10, 1991 (see Docket #R-0668, elsewhere in today's Federal Register).

³ The cap is currently based on adjusted primary capital, but as January 10, 1991, the cap will be a multiple of risk-based capital (see Docket #R-0668, elsewhere in today's Federal Register).

supporting each depository institution's rating is reviewed by the institution's primary supervisory agency examiners. In July 1987, the Board adopted a number of modifications to its daylight overdraft policy, including a two-step, 25 percent reduction in the cross-system net debit caps, thus reducing the maximum daylight overdraft permitted to an individual depository institution (52 FR 29255, August 6, 1987).

As published in Docket #R-0669, elsewhere in today's Federal Register, the Board has adopted modifications to its risk reduction program that bring overdrafts resulting from book-entry securities transactions within an institution's cap. Under the Board's book-entry policy, depository institutions with positive caps that frequently exceed their cap by material amounts solely due to book-entry securities activity must collateralize their overdrafts attributable to book-entry securities activity. In addition, financially healthy depository institutions with positive caps may choose to collateralize all or part of their book-entry overdrafts, even if they do not exceed their caps, and such secured book-entry overdrafts shall not be included with those funds or uncollateralized book-entry overdrafts measured against the cap. Moreover, depository institutions that are prohibited by Reserve Banks from incurring overdrafts because of their risk class (or for any other reason other than lack of access to the discount window) may incur book-entry overdrafts, but must provide collateral to the Reserve Bank sufficient to cover book-entry overdrafts of any size of frequency. Institutions that have not filed for a cap that incur frequent and material overdrafts due to book-entry transactions will be requested by their Reserve Bank to file for a cap. (Such institutions are not permitted to incur funds overdrafts, even with collateral.) Those depository institutions that do not have access to the discount window will not be allowed to incur funds or book-entry overdrafts, regardless of collateral.

The Board is proposing a separate policy for bankers' banks and corporations organized under section 25(a) of the Federal Reserve Act (12 U.S.C. 611-631) or having an agreement or undertaking with the Board under section 25 of the Federal Reserve Act (12 U.S.C. 601-604a) ("Edge corporations"). Generally, these entities do not have access to the discount window.

Bankers' banks are statutorily exempt from reserve requirements and are excluded from discount window access, although the Board has permitted such

institutions to have access to the discount window if they choose to hold reserves. Some bankers' banks, however, are required by the Federal Reserve to hold clearing balances as a condition of obtaining Federal Reserve payments services. In order to prevent such an institution's Fedwire activity from resulting in an overnight overdraft, the Federal Reserve has imposed a zero cap on bankers' banks.

Edge corporations, like bankers' banks, do not have access to the discount window, but current policy permits Edge corporations to establish a cap and to incur overdrafts within that cap, provided that they post collateral. Historically, Edge corporations and bankers' banks have not incurred book-entry overdrafts of any significant size or frequency. During a four-week sampling of data in August 1989, only two bankers' banks incurred book-entry overdrafts, while only three Edge corporations incurred either a funds or a book-entry overdraft. No Edge corporation exceeded its cap due to book-entry overdrafts.

Nevertheless, their lack of access to the discount window suggests that both bankers' banks and Edge corporations should be made subject to the same policy: prohibition of both funds and book-entry overdrafts. The Board realizes that inadvertent overdrafts, particularly book-entry overdrafts, can occur and may possibly become overnight overdrafts. The Board believes that its policy toward such institutions should include a penalty charge for inadvertent overdrafts that would provide an incentive to bankers' banks and Edge corporations to avoid them.

In this regard, the Board proposes that, should a bankers' bank or an Edge corporation incur an inadvertent daylight overdraft due to either a funds or a book-entry transaction, the Reserve Bank would, absent unusual circumstances, charge the institutions an amount equal to the overnight overdraft penalty fee, levied against the maximum daylight overdraft level. If the daylight overdraft is not fully repaid by the end of the day, an additional amount equal to the overnight overdraft penalty fee would be levied against the overnight overdraft and would be charged to the bankers' bank or Edge corporation. In addition, Edge corporations would be required to hold excess reserves on subsequent days to make up for the reserve shortfall, and, likewise, those bankers' banks that are required to hold clearing balances with the Federal Reserve would be required to hold excess balances on subsequent days. For those bankers' banks that do not

hold clearing balances, in addition to the overnight overdraft penalty fee, the bankers' bank would have to hold a clearing balance on subsequent days to offset the deficit to its zero balance account. Reserve Banks would have the ability to waive the daylight and overnight charges, as well as the holding of excess balances, as they do now for overnight overdrafts if, for example, the overdraft results from a Reserve Bank error.

Under the Board's proposal, both bankers' banks and Edge corporations would have to pre-fund their funds and book-entry securities activity. This proposal differs from the current policy, which requires bankers' banks to pre-fund their funds transfers but not their receipt of book-entry securities transfers against payment, and does not require Edge corporations to pre-fund at all. The Board is requesting public comment on this change in policy and on the proposals for penalty charges described above.

The Board also requests comment on whether certain other entities should be subject to the same policy as bankers' banks and Edge corporations. For example, a depository institution may have a zero cap imposed by a Reserve Bank because the institution presented the Reserve Banks with excessive risk or because the institution has not complied with the risk reduction program. As noted above, under the Board's policy on book-entry overdrafts, depository institutions with imposed zero caps that have access to the discount window would be able to incur book-entry overdrafts if collateral were posted. Book-entry overdrafts are prohibited for institutions with imposed zero caps and no discount window access. Funds overdrafts are prohibited for all institutions with imposed zero caps.

The Board requests comment on whether the proposed policy for imposed-zero-cap institutions, including trust companies with a zero cap, should be consistent with the policy applied to Edge corporations and bankers' banks. Applying penalty charges to imposed-zero-cap institutions, even those with access to the discount window, would provide an incentive for those institutions to avoid overdrafts, similar to the incentive the Board proposes to impose on Edge corporations and bankers' banks. Under such a policy, Reserve Banks would charge the overnight overdraft penalty fee for (1) the maximum inadvertent daylight funds overdraft incurred by any institution with an imposed zero cap and access to

the discount window⁴ and, as indicated above, (2) the maximum inadvertent daylight funds or book-entry overdraft incurred by any institution with an imposed zero cap and no discount window access.⁵ As with Edge corporations and bankers' banks, if the daylight overdraft of an institution with an imposed zero cap is not fully extinguished by the end of the day, the Reserve Bank would charge an additional amount equal to the overnight overdraft penalty fee levied against the overnight overdraft, and the institution would also be required to hold excess reserves on subsequent days to make up for the reserve shortfall. The Reserve Bank would be able to waive the daylight and overnight charges, as well as the balance requirements, at its discretion.

Competitive Impact Analysis

Under its competitive equity policy, the Board assesses the competitive impact of changes that have a substantial effect on payments system participants.⁶ The Board believes these modifications to its payments system risk reduction program will have no adverse effect on the ability of other service providers to compete effectively with the Federal Reserve Banks in providing similar services. These modifications place controls on the use of the Federal Reserve Banks' funds and book-entry transfer services, which are consistent with controls used in private clearing and settlement systems.

By order of the Board of Governors of the Federal Reserve System, May 24, 1990.

William W. Wiles,

Secretary of the Board.

[FR Doc. 90-12555 Filed 5-30-90; 8:45 am]

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[Docket No. R-0669]

RIN 7100-AA76

Modifications to the Payments System Risk Reduction Program; Book-Entry Securities Transfers

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Policy statement.

SUMMARY: As part of its payments system risk reduction program, the

⁴ These institutions could incur unlimited collateralized book-entry overdrafts without fees.

⁵ Posted collateral would be irrelevant for the fees charged to these institutions.

⁶ These assessment procedures are described in the Board's policy statement entitled "The Federal Reserve in the Payments System" (55 FR 11648, March 29, 1990).

Board is adopting a policy to reduce the risks to the Federal Reserve arising from daylight overdrafts associated with transfers of book-entry risk reduction program are:

- Overdrafts arising out of wire transfers of funds and book-entry securities will be combined for purposes of measuring the institution's daylight overdraft against its cap.

- Depository institutions should not exceed their daylight overdraft caps for purposes of funds transfers, but financially healthy institutions with positive caps are permitted to exceed their caps due to book-entry securities activity.

- Depository institutions with positive caps that frequently (more than three occasions in two rolling two-week intervals) exceed their caps by material amounts (in excess of 10 percent or more) solely due to book-entry securities transactions must collateralize their Fedwire overdrafts attributable to such transactions.

- Financially healthy depository institutions with positive caps may choose to collateralize all or part of their book-entry overdrafts, even if they do not exceed their caps, and such secured overdrafts shall be excluded from the calculation of overdrafts subject to the cap.

- Depository institutions should have flexibility in determining the type of collateral to pledge to secure book-entry overdrafts.

- Depository institutions that are assigned a cap of zero by Reserve Banks because of their risks class (or for any other reason other than lack of access to the discount window) may incur book-entry overdrafts but must provide collateral to the Reserve Bank sufficient to cover book-entry overdrafts of any size or frequency. Institutions that have not filed for a cap that incur frequent and material overdrafts due to book-entry transactions will be requested by their Reserve Bank to file for a cap. (Such institutions are not permitted to incur funds overdrafts, even with collateral.) Those depository institutions that do not have access to the discount window will not be allowed to incur funds or book-entry overdrafts, regardless of collateral.

EFFECTIVE DATE: January 10, 1991.

FOR FURTHER INFORMATION CONTACT:

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3625) or Stephanie Martin, Attorney (202/452-3198), Legal Division; for the hearing impaired only: Telecommunications Device for the Deaf, Earnestine Hill or Dorothea Thompson (202/452-3544).

SUPPLEMENTARY INFORMATION:

Background.

The Board's payments system risk reduction program establishes a maximum amount of intraday overdrafts that depository institutions are permitted to incur over both Fedwire and private large-dollar payments systems.¹ The maximum, or cap, is a multiple of a depository institution's capital² and is based on a self-assessment of a depository institution's creditworthiness, credit policies, and operational controls. Since the initiation of the policy in 1986, the daylight overdrafts on Fedwire associated with book-entry securities transfers have been exempt from the cap limits, pending development of procedures to bring these intraday credit exposures faced by Reserve Banks within the ambit of the policy.

In June 1989, the Board requested comment on proposed modifications to its payments system risk reduction program, including a proposal to include book-entry related overdrafts in the program (54 FR 26090, June 21, 1989). The Board's proposals were designed to protect the Reserve Banks, while continuing to provide flexibility to depository institutions engaged in clearing U.S. Government securities and other book-entry securities over Fedwire. Specifically, the Board proposed:

- To combine book-entry overdrafts with funds overdrafts to create a combined Fedwire overdraft within the existing cap structure;
- To require depository institutions that frequently exceed their Fedwire cap by material amounts solely because of book-entry securities transfers to collateralize their total Fedwire exposure;
- To use discount window collateral not in use for that purpose held either by the Reserve Bank or the depository institution as the first preferred source of collateral and other asset pools held by the depository institution as the

second preferred source of collateral; and

- To use as a final source of collateral, book-entry securities being transferred, in the interim marked on the depository institution's own books, and, in the long run, segregated and valued in real time on the books of the Reserve Bank.

Daylight overdrafts related to the transfer of book-entry securities are growing in size, yet are concentrated in a few depository institutions. The average daily amount of book-entry overdrafts has grown from peak levels of almost \$60 billion in early 1988 to almost \$90 billion in 1990. The Board believes that this growth in overdrafts may be related to the growth in dealer repurchase activity over the same period. If this assumption is correct, it is unlikely that steps being taken by the industry, such as netting services by the Government Securities Clearing Corporation, will succeed in reducing overdraft levels. Repurchase trading is done for same-day delivery and return early the next morning, and, in the near term, technical difficulties prevent such same-day trades from being netted by the Government Securities Clearing Corporation. Therefore, absent reductions in repurchase trading, larger peak book-entry overdrafts are likely to continue.

Currently, ten depository institutions account for 80 to 85 percent of total book-entry overdrafts, with nearly 75 percent of that total attributable to the three major book-entry clearing banks. The Board believes, therefore, that a policy requiring collateralization of book-entry overdrafts for those depository institutions that exceed their caps due to book-entry overdrafts would affect only a small number of depository institutions engaged specifically in the business of clearing book-entry securities for primary dealers in those securities. This assumption has been borne out by two Federal Reserve surveys in which data on overdrafts were collected during a two-week period in February 1988 and a four-week period ending August 23, 1989. These surveys also support the Board's expectation that combining book-entry overdrafts with funds overdrafts will not measurably reduce the intraday flexibility of the vast majority of depository institutions with positive caps.

Amount of Overdraft

The Board has adopted its proposal that a depository institution's funds and book-entry overdrafts be combined for purposes of determining an institution's

¹ Assuming settlement finality is adopted on the Clearing House Interbank Payments System ("CHIPS"), the cap will apply to Fedwire overdrafts only as of January 10, 1991 (see Docket #R-0668, elsewhere in today's Federal Register).

² The cap is currently based on adjusted primary capital, but as of January 10, 1991, the cap will be a multiple of risk-based capital (see Docket #R-0668, elsewhere in today's Federal Register).

compliance with its cap. To determine whether an institution exceeds its cap due solely to book-entry securities activity, Treasury and government agency book-entry interest payments will be credited to an institution's funds "account" as of the opening of the business day. The net effect of new Treasury issues and Treasury and government agency redemptions will be credited or debited to the institution's book-entry "account" at the opening of the book-entry day. New issues of government agency securities will be reflected in the book-entry "account" as the securities are delivered over Fedwire. Credits and debits from transfers of book-entry securities will be applied to the institution's book-entry "account." If an institution's book-entry "account" is in a net credit position, these credits will be applied to the institution's funds "account." If the book-entry "account" is in a net debit position, a "book-entry overdraft" will be counted as having occurred.

The Board received 83 comments on the issue of combining funds and book-entry overdrafts for purposes of measurement under the cap structure. Eighteen commenters, including the Board's Large-Dollar Payments System Advisory Group, supported the proposal. These commenters generally believed that the overdrafts arising from book-entry securities transfers are an extension of credit and that all extensions of credit by Reserve Banks should be subject to controls.

Sixty-five commenters opposed combining book-entry securities transfers and funds transfers for daylight overdraft measurement purposes. Twenty-nine commenters indicated that the risks associated with funds and book-entry securities overdrafts are different and, therefore, should be treated more flexibly than proposed. Many of these commenters argued that a funds transfer represents the transfer of an asset, but a book-entry securities transfer represents the exchange of assets. Several commenters supported a position taken by the Public Securities Association ("PSA") that the risk presented by book-entry overdrafts is qualitatively different from the risk presented by funds overdrafts, as book-entry overdrafts are fully secured by the underlying securities to which the overdrafts relate. In a joint response, four large clearing banks stated that the risk represented by funds overdrafts is the absolute dollar value of the resulting overdraft, but the risk in book-entry securities deliveries arises from either interest rate volatility or from questions regarding the security interest the

Federal Reserve Banks could obtain in such securities. These clearing banks argued that the Board's approach of combining funds and book-entry overdrafts creates serious mismatches between real and perceived risk. Another commercial bank also supported this argument, stating that for banks with moderate to heavy clearing activities, the combination of book-entry and Fedwire overdrafts would overstate the Federal Reserve's true level of risk.

The Board believes, however, that, while the collateralized position of a clearing bank vis-a-vis its customers helps protect that bank against risk, the bank's collateralized position does not necessarily translate into a higher degree of protection for the Reserve Bank. For the Reserve Bank, the risks that intraday exposures may require discount window funding are similar regardless of the type of overdraft or the collateral the clearing bank has taken. Thus, measurement of the total overdraft against the institution's cap is appropriate.

Many commenters argued that another significant distinction between book-entry securities and funds transfers is that receivers of book-entry transfers have no control over the timing of the debit to their account. Because of the sender driven nature of the securities transfer system, the commenters stated that it is virtually impossible for depository institutions to control the level of their overdrafts.

The Board recognizes that the timing of many book-entry overdrafts is uncontrollable, but that intraday book-entry overdrafts, like funds overdrafts, have the potential to become overnight overdrafts. As discussed below, the Board's policy exempts collateralized book-entry overdrafts from cap limits because of the sender-driven nature of the book-entry system and the Board's sensitivity to the markets it supports. The collateralization aspects of the policy are designed to protect Reserve Banks from the very large exposures that can result from the book-entry business.

Several commenters submitted a copy of comments prepared by the Association of Reserve City Bankers, which stated that, in addition to not having any control over the timing of the debit, the availability of real-time information on combined securities and funds overdrafts is limited for smaller banks, making it difficult for them to manage a combined account position. While the statement focuses on the impact to smaller banks, opposition to this aspect of the proposal was received from all types and sizes of book-entry

participants. Fifty commenters expressed concern that the costs for depository institutions to develop procedures and computer systems to monitor funds and book-entry overdrafts simultaneously in a real-time environment would be disproportionate to the amount of risk reduction that might be obtained. Many commenters suggested that resources that would otherwise be directed to improving and expanding products and services would likely be reallocated to internal accounting enhancements. One bank holding company stated that additional cross-system monitoring, with the corresponding internal competition for cap resources, could force a bank to address its own funding needs at the expense of its customers' funds movement needs.

Overall, concern was expressed that the Board had underestimated the number of depository institutions that would be affected by this proposal, particularly due to the need to perform intraday tracking of both book-entry and funds positions. Some commenters suggested that the Board should specifically target its proposal to those depository institutions that are directly responsible for the majority of book-entry overdrafts.

Based on its 1988 and 1989 surveys, the Board believes that the policy it has adopted for book-entry overdrafts is narrowly tailored and will effect only a relatively small number of depository institutions. The surveys showed that most institutions are rarely in danger of exceeding their cap, even including book-entry overdrafts. Therefore, additional overdraft tracking should not be necessary for most institutions. Moreover, those institutions that do exceed their caps would be able to collateralize their book-entry overdrafts, as discussed below. The Board believes that the policy adopted will allow institutions to minimize internal accounting systems changes. If clearing banks prefer to pledge in-transit securities to the Federal Reserve as collateral for their book-entry overdrafts, as they indicate they will, it should not be difficult for institutions to keep their book-entry business and book-entry collateral operationally separate from their funds business. Should operational or other problems necessitate an institution's borrowing from the discount window to avoid an overnight overdraft, overdrafts arising from the funds business could be covered separately with available discount window or other pools of collateral, while book-entry overdrafts could be secured with in-transit securities. On an

intraday basis, this approach could result in some amount of over-collateralization, but it should not be operationally costly or cumbersome.

Twenty-nine commenters expressed concern that the integration of book-entry overdrafts into the existing cap structure may ultimately have an adverse effect on daily Fedwire traffic because the size of those overdrafts is so substantial. Several commenters asserted that the analysis did not adequately recognize the interdependencies of the various securities markets (as well as the participants in those markets) and, therefore, did not address the problems connected with differences in settlement times. In addition, 13 commenters suggested that the proposal created an incentive for large banks to reject incoming transfers arbitrarily to avoid an overdraft.

The Board does not believe that combining book-entry and funds transfers under one cap will have significant adverse effects on Fedwire operations. Very few depository institutions have high cap utilization rates, even after the inclusion of book-entry overdrafts. For the handful that do, their ability to incur collateralized book-entry overdrafts in excess of cap, as discussed below, should prevent serious settlement timing delays in the various securities markets. The Reserve Banks will continue to monitor the book-entry transfer system and will take action to discourage arbitrary rejections by book-entry recipients and other abuses of the system.

Collateralization Requirement

The Board has adopted a modified version of its proposed policy on collateralization. Financially healthy depository institutions with positive caps that frequently exceed their cap by material amounts solely due to book-entry transfers will be required to collateralize all of their book-entry overdrafts, rather than their total funds and book-entry overdrafts as initially proposed. The Board has defined "frequently" to mean more than three occasions in two rolling two-week intervals and "material amounts" to mean in excess of 10 percent or more of cap. For example, a depository institution that meets the "frequent" and "material" tests and has a \$50 million cap and a \$70 million overdraft—\$30 million due to funds transfers and \$40 million due to book-entry securities transactions—will be required to collateralize the entire \$40 million of book-entry overdrafts.

In addition, all financially healthy depository institutions with positive

caps may choose to collateralize all or part of their book-entry overdrafts, even if they have not exceeded their caps, and such secured overdrafts shall not be included with those overdrafts measured against their caps. For example, a financially healthy depository institution with a \$50 million cap and a \$30 million overdraft—\$15 million due to funds transfers and \$15 million due to book-entry securities transfers—would ordinarily have excess cap of \$20 million. Such an institution may increase its excess cap by \$15 million by collateralizing all of its book-entry overdrafts (or may increase its excess cap by less than \$15 million by collateralizing some portion of its book-entry overdrafts). Such an institution may not increase its cap of \$50 million by over-collateralizing its book-entry overdrafts or by collateralizing any part of its funds overdraft.

The Board received 75 comments on its proposal requiring depository institutions that frequently exceed their Fedwire caps by material amounts solely due to book-entry transactions to collateralize their total Fedwire exposure. Seventeen commenters supported the proposal. The Large-Dollar Payments System Advisory Group agreed with the proposal and suggested that it represented a positive step in meeting some of the primary goals of the payments system risk reduction program, such as encouraging the development to changes in market practices designed to reduce risk and providing adequate protection to the individual Reserve Banks for the risk posed by book-entry transactions.

Fifty-eight commenters strongly opposed the requirement that the total Fedwire exposure be fully collateralized by depository institutions that exceed their caps due to book-entry activity. One-third of these commenters, the clearing banks in particular, argued that collateralization of total funds transfer and book-entry daylight overdrafts represents an unfair burden. The New York Clearing House Association stated that the cap represents the level of risk that the Federal Reserve has judged prudent for it to accept on an unsecured basis during the day and that those institutions whose business requires them to exceed their caps regularly should not be required to forego the benefit of unsecured credit up to the cap.

Although the clearing banks may have sufficient collateral in a stable pool, PSA and the clearing banks stated that the total collateralization requirement would place an unfair burden on the funds transfer business of depository institutions that choose to be clearers of

securities on a large scale vis-a-vis those institutions that provide funds clearing services only. These commenters stated that securities clearing banks would have to bear the burden of collateralizing the total overdraft, including both the book-entry securities portion and the funds portion. Many of these commenters suggested that, if the Board pursued the consolidated cap approach to monitoring and controlling daylight overdrafts, collateralization should be imposed only on that portion of the overdraft that is in excess of the cap.

The Board recognizes that some commenters perceived that proposed policy to be restrictive and discriminatory, given the large unsecured funds exposures permitted to some depository institutions with large caps, albeit because of their capital, that would be unaffected by the proposed book-entry program. Because of the importance of maintaining a liquid and efficient government securities market, the Board wished to adopt a policy that could generally be supported and implemented by clearing banks. Therefore, the Board has revised its proposal and adopted a policy to require collateralization of only the book-entry portion of an institution's overdraft.

Under the policy adopted by the Board, financially healthy depository institutions would be allowed to exceed their cap with collateralized book-entry overdrafts. The major risk addressed by requiring collateral is that the institution may experience an operational outage. Operational problems can cause book-entry overdrafts to increase dramatically, but the incoming securities that cause these exposures can be pledged to Reserve Banks to cover the overdraft. Operational problems related to funds transfers, on the other hand, usually prevent an institution from sending payments. As a result, funds transfer overdrafts tend to decline when operational problems occur. Thus, a Reserve Bank will be able to protect itself fully against most operational risks if it requires collateral only for book-entry overdrafts.

This policy assumes that, while a book-entry operational problem is occurring, the normal reserve position management function of the clearing bank remains unaffected and funds overdrafts are extinguished as usual. In the event this does not happen, the Reserve Bank may experience exposures that are not fully secured. This problem will be addressed in an ad hoc way, however, by allowing Reserve Banks to increase the amount of collateral held for discount window

purposes over current, already sizeable, amounts. In practice, institutions usually keep sufficient collateral at Reserve Banks to cover their funds overdrafts. Given current levels of discount window collateral, it is likely that Reserve Banks would have the same amount of collateral available when it is actually needed under either the proposed or the final policy.

Twenty-one commenters indicated that the vagueness of the proposal's criteria, "frequently exceeds" and "material amounts," could result in different treatment of depository institutions across Federal Reserve districts. Many commenters were concerned that the proposal would be administered differently by each of the Reserve Banks resulting in an unlevel playing field. The Large-Dollar Payments System Advisory Group strongly recommended that the Board work with the Reserve Banks to develop more specific guidelines as to the patterns of overdrafts that would trigger the collateralization requirements, and more importantly, to ensure consistent administration of the policy across all depository institutions. Although the likelihood of differences in application among Reserve Banks is small, the Board has set definitive standards for these levels. The Board has defined "materiality" as 10 percent or more in excess of cap due to book-entry overdrafts and has defined "frequent" overdrafts to be those experienced on more than three days in any rolling 20-day period (two 2-week intervals).

Forty-one commenters indicated that the costs associated with collateralizing the combined overdraft would be substantial and would have an adverse impact on depository institutions' profitability. Many depository institutions would incur direct expenses for the development of new collateral monitoring systems as well as indirect expenses related to acquiring and pledging the required collateral.

Both custodian banks and clearing banks were generally concerned that the proposal would ultimately affect their ability to raise funds. The custody banks argued that they would have to acquire new collateral or divert portfolio securities (used for repurchase agreements or as collateral for public funds) to provide the necessary collateral for daylight overdraft purposes. The clearing banks, on the other hand, were concerned about the potential reaction in credit markets to the use of major blocks of the clearing banks' own assets to collateralize a single line of business (e.g., book-entry securities transfers). Overall,

commenters argued that such costs would be passed on to depository institution customers and, ultimately, to the Treasury. Approximately 28 percent of these commenters believed that the Board's proposal would result in some form of "tax" on Treasury securities.

The Board believes that the burden of providing collateral is limited, as collateral routinely available for discount window purposes by the affected institutions would more than cover their funds transfer overdrafts as measured under the current policy. Thus, the cost impact of the new policy will likely be low, given that a large part of the book-entry portion of total Fedwire overdrafts can be collateralized by book-entry securities in transit.

Generally, the commenters supported collateralizing those overdrafts that result directly from book-entry transfers, because this approach builds on existing systems and business practices. As an alternative proposal, several commenters supported allowing depository institutions, at their option, either: (1) To combine both funds and book-entry exposures under their existing caps and agree to operate within those caps, or, (2) to collateralize the book-entry overdraft (no matter how large or frequent), continue to exempt this collateralized book-entry overdraft from measuring compliance with the cap and, as now, use the unsecured cap overdraft amounts solely for their funds businesses.

Under the policy adopted by the Board, all depository institutions, not just those with book-entry overdrafts above their caps, may choose to collateralize all or part of their book-entry overdrafts. Any collateralized book-entry overdrafts would be removed from consideration against the cap, thereby leaving those institutions' funds transfer flexibility unchanged. This policy allows institutions to gain cap headroom through collateralization of book-entry overdrafts, even when those institutions are not engaged in large-scale book-entry clearing businesses.

Collateralization Procedures

The Board has adopted a policy that will give depository institutions flexibility as to the specific type of collateral that must be pledged to secure book-entry overdrafts. The Reserve Banks will not give preference, as proposed in June 1989, to a particular type of collateral, such as securities in transit, discount window collateral, or stable pools of collateral, unless such preference is desired by the depository institution. All collateral must be acceptable to the Reserve Bank.

Many commenters were critical of the preferences indicated in the proposal as to the type of collateral, and to the ways in which intraday pledges of book-entry securities would be made. The proposed order of priority reflected both the desire first to take collateral in which interests can be perfected most easily, and the fact that earlier Board book-entry proposals had been criticized because of a stated unwillingness to use stable pools of collateral.

Although several commenters supported the proposal's flexibility in allowing the Reserve Banks to customize each depository institution's collateral requirements, many more were concerned about the possibility of inconsistent treatment of depository institutions across districts. One large commercial bank stated that customizing a mixed collateral program on a case-by-case basis would be difficult to implement without fostering trade-offs between the business needs of the depository institution and the need to protect its Reserve Bank.

Several commenters expressed reservations about using a stable pool of collateral as the preferred method of securing daylight overdrafts. The custody banks were generally concerned because most of their portfolio securities are already pledged for other purposes and remaining securities activity is composed of a substantial amount of custodial and fiduciary transactions, which involve non-pledgeable customer securities.

It was not the intent of the proposal to be as rigid as it was interpreted by commenters. It was the Board's desire to work with each depository institution to determine the best mix of types of collateral for that institution. The Board has clarified its policy to indicate a willingness to start the collateralization identification process with book-entry securities in transit, and to fill in with other collateral, such as discount window collateral and other stable pools, where in-transit collateral is not adequate.

Of the 49 commenters that discussed the pledge of book-entry securities in-transit, 39 supported the use of incoming book-entry securities as collateral. Few of these commenters, however, agreed with the Board's interim procedures for marking book-entry securities collateral on the depository institution's own books. Commenters stated that the proposal did not identify the types of records, the frequency, or the level of detail to be kept by the depository institution.

PSA argued that the clearing banks already have established control

mechanisms to minimize the risk exposure to themselves arising from book-entry overdrafts and to collateralize the repayment of advances. The Board's proposal would, in effect, superimpose another collateral system at the clearing bank level. To avoid this "duplicative" effort, PSA and the clearing banks suggested a system under which the Reserve Bank would take an assignment of the clearing bank's secured extension of credit to each dealer. The "additional layer of controls" presented in the proposal was of concern to most of the primary dealers because of the potential that one dealer-customer's securities might be used as collateral for an overdraft caused by another customer ("horizontal risk") or as a result of the clearing bank's own activities ("vertical risk").

Under the system suggested by PSA, however, the Reserve Bank would not have a better position than the clearing bank vis-a-vis dealer/customer securities delivered against payment. The Reserve Bank's interest in the dealer's proprietary securities or fully-paid customer securities would be limited to the amount of clearing credit extended by the clearing bank. Moreover, if there were some defect in the clearing bank's security interest or the dealer or its customer had some defense against the clearing bank, that defect or defense could be raised against the Reserve Bank.

The Board believes this approach has the potential to impose substantial risk on a Reserve Bank. That risk could be reduced only by intrusion into the clearing bank-dealer/customer relationship. The Board also believes that there are steps, such as agreeing to use collateral sources other than in-transit securities as a cushion against cross-collateralization, that could be taken to reduce risk of cross-collateralization to dealers.

Twenty-three commenters representing a variety of book-entry participants were concerned about the legal obstacles involved with pledging certain customer-owned securities. Although many commenters suggested that the underlying securities might be the most appropriate form of collateral for book-entry overdrafts, it was clearly recognized that the development of systems capabilities to segregate customer securities received but not yet paid for will take a long time. Furthermore, roughly 15 percent of all commenters suggested that the Board encourage the implementation of Treasury's TRADES regulations, which would provide the Reserve Banks with a

"super lien" on book-entry securities in transit.

Under the policy adopted by the Board, securities in transit that are being pledged to Reserve Banks to collateralize depository institution overdrafts are, in the interim, to be marked on the books of the depository institution. The Federal Reserve is working with the major clearing banks and dealers, the Treasury, and the Public Securities Association in formulating a pledge agreement covering securities in transit that will address the concerns raised by the commenters without imposing substantial risk on the Reserve Banks or intruding into the relationships between clearing banks, dealers, and their customers.

The in-transit pledge on the institution's own books is an interim step until better automation capabilities are available to allow such pledges to be recorded on Reserve Bank books. The Federal Reserve is currently studying alternatives to deal with book-entry risk on an operational basis, and plans to implement a new system by the mid-nineties.

Other Book-Entry Issues

Currently, there are many depository institutions with small (*de minimis*) caps, zero caps imposed by Reserve Banks because of the institution's financially troubled status or because of Board policy, zero caps adopted at the request of the institution, or no cap as a result of not filing for a cap. Under the old policy, none of these institutions have had a prohibition or limit on book-entry overdrafts, but, under the newly-adopted policy, about 125 of them would exceed their zero or small caps, wholly or in part, due to book-entry overdrafts on at least one day.

Because the timing of book-entry overdrafts and, hence, their size, are beyond the control of the depository institution incurring the overdraft, and given the current policy that requires collateral from weak depository institutions, the Board has developed a separate policy for those institutions currently prohibited from funds overdrafts or restricted to small cap levels. The Board will allow those institutions with zero caps that have access to the discount window to continue to incur book-entry overdrafts, but will require collateralization even if such overdrafts are infrequent and modest. (The Board has requested comment on penalty fees for inadvertent overdrafts incurred by institutions with imposed zero caps. See Docket #R-0693, elsewhere in today's **Federal Register**.) Institutions that have not filed for a cap that incur frequent and material

overdrafts due to book-entry transactions will be requested by their Reserve Bank to file for a cap. (Such institutions are not permitted to incur funds overdrafts, even with collateral.) Those depository institutions that do not have access to the discount window will not be allowed to incur funds or book-entry overdrafts, regardless of collateral.

Competitive Impact Analysis

Under its competitive equity policy, the Board assesses the competitive impact of changes that have a substantial effect on payments system participants.³ The Board believes these modifications to its payments system risk reduction program will have no adverse effect on the ability of other service providers to compete effectively with the Federal Reserve Banks in providing similar services. These modifications place controls on the use of the Federal Reserve Banks' funds and book-entry transfer services that are consistent with controls used in private clearing and settlement systems, and, if anything, would have a positive impact on competitors in these services.

By order of the Board of Governors of the Federal Reserve System, May 24, 1990.

William W. Wiles,

Secretary of the Board.

[FR Doc. 90-12553 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

[Docket No. R-0668]

RIN 7100-AA76

Modifications to the Payments System Risk Reduction Program; Caps and Measures of Capital for U.S. Chartered Depository Institutions

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Policy statement.

SUMMARY: As part of its payments system risk reduction program, the Board is adopting a policy governing daylight overdraft caps, including measures of capital, for U.S. chartered depository institutions. Specifically, the policy will:

- For the purpose of calculating maximum permissible daylight overdrafts, replace "adjusted primary capital" with "qualifying" or similar capital measures that include those capital instruments that satisfy risk-based capital standards;

³ These assessment procedures are described in the Board's policy statement entitled "The Federal Reserve in the Payments System" (55 FR 11648, March 29, 1990).

- Eliminate Clearing House Interbank Payments System ("CHIPS") net debits from the cross-system cap, provided that implementation of settlement finality has been adopted by CHIPS;

- Excuse financially healthy U.S. chartered depository institutions that rarely incur Fedwire overdrafts in excess of the lesser of \$10 million or 20 percent of their capital from filing board-of-directors' resolutions or self-assessments with their Reserve Banks; and

- Create a revised *de minimis* cap category to permit U.S. chartered depository institutions a daily cap equal to 20 percent of capital with a board-of-directors' resolution but no self-assessment.

EFFECTIVE DATE: January 10, 1991.

FOR FURTHER INFORMATION CONTACT:

Edward C. Ettin, Deputy Director, Division of Research and Statistics (202/452-3368); Bruce J. Summers, Associate Director (202/452-2231) or Florence M. Young, Assistant Director (202/452-3955), Division of Federal Reserve Bank Operations; Oliver I. Ireland, Associate General Counsel (202/452-3625) or Stephanie Martin, Attorney (202/452-3198), Legal Division; for the hearing impaired only: Telecommunications Device for the Deaf, Earnestine Hill or Dorothea Thompson (202/452-3544).

SUPPLEMENTARY INFORMATION:

Background.

In April 1985, the Board adopted a policy to reduce the risks that large-dollar payments systems, including Fedwire, present to the Federal Reserve, to the depository institutions using them, to the banking system, and to other sectors of the economy (52 FR 21120, May 22, 1985). This policy in effect, established a maximum amount of intraday funds overdrafts, or intraday credit exposure, that depository institutions are permitted to incur over both Fedwire and private large-dollar payments systems. The maximum, or cap, is a multiple of a depository institution's adjusted primary capital and is based on the depository institution's self-assessment of its own creditworthiness, credit policies, and operational controls. The guidelines for performing the self-assessment were established by the Board, and the documentation supporting each depository institution's rating is reviewed by the institution's primary supervisory agency examiners. In July 1987, the Board adopted a number of modifications to its daylight overdraft policy, including a two-step, 25 percent reduction in the cross-system net debit caps, thus reducing the maximum

daylight exposure that an individual depository institution could incur (52 FR 29255, August 6, 1987).

In June 1989, the Board requested comment on further modifications to its payments system risk reduction program (54 FR 26094, June 21, 1989). The Board proposed to: (i) Establish a program for pricing the daily average value of all Fedwire overdrafts in excess of a deductible, (ii) revise the definition and measurement of daylight overdrafts to facilitate pricing, (iii) exempt from filing for caps those depository institutions with relatively small overdrafts, (iv) use risk-based capital as the factor to which cap multiples would be applied, and (v) exclude from the measurement of cross-system net debit caps net debits on CHIPS after CHIPS implements settlement finality. As described below, the Board has adopted policies, essentially as proposed, regarding caps, capital, and CHIPS net debits for domestically-chartered depository institutions. The Board expects to take action on pricing and overdraft measurement in the near future.

Although the Board originally proposed that changes regarding CHIPS net debits and caps would be conditional on the changes in overdraft measurement, the Board has adopted these changes independently. The CHIPS net debits and cap proposals were generally supported by commenters, ease the burden on depository institutions, and cause only limited increase in Reserve Bank or systemic risk.

In related dockets, the Board's June 1989 proposals included modification to its risk reduction policies concerning book-entry securities (54 FR 26090, June 21, 1989) and branches and agencies of foreign banks (54 FR 26108, June 21, 1989). The final versions of these policies, as well as a request for comment concerning the overdraft policy applicable to bankers' banks and Edge corporations, are discussed elsewhere in today's Federal Register.

Capital

The Board has adopted its proposal to replace, for the purpose of calculating maximum permissible daylight overdrafts, "adjusted primary capital" with "qualifying" or similar capital measures that include those capital instruments that can be used to satisfy risk-based capital standards. Depository institutions that choose to access Fedwire through multiple accounts will continue to be required to allocate their capital for daylight overdraft purposes to each Reserve Bank at which they incur overdrafts, and one Reserve Bank will continue to have overall risk-

management responsibilities. (Capital for foreign banks is discussed in Docket No. R-0670, elsewhere in today's Federal Register.)

The Board's policy is consistent with the newly-adopted international capital standards (see 54 FR 4186, January 27, 1989). The international risk-based capital guidelines will begin to be phased in at the end of 1990, and the new capital measurement for daylight overdraft cap calculation will become effective January 10, 1991. In 1990, all of the federal financial regulatory agencies will begin collecting, as part of their required reports, data on the amount of capital that can be used for risk-based purposes—"qualifying" capital for commercial and savings banks, "risk-based" capital for savings and loan associations, and total regulatory reserves for credit unions.¹ Other U.S. chartered entities incurring Fedwire overdrafts would have to provide similar data to their Reserve Banks.

Nineteen commenters supported the proposal to use risk-based capital to calculate caps. These commenters indicated that the change appeared to be appropriate given that risk-based capital would be used for other future regulatory purposes. Three commenters suggested moving to risk-based capital at an early stage so that, for those institutions with risk-based capital larger than adjusted primary capital, caps would be expanded to "make room" for book-entry overdrafts. Two commenters, however, had reservations about this change. One large commercial bank stated that, for many institutions, risk-based capital will be less than the adjusted primary capital on which caps are based today. The Independent Bankers Association suggested that the risk-based capital system was too new to be used as the basis for calculating caps.

According to a survey taken by the Federal Reserve during a four-week

¹ The minimum ratio of qualifying capital to risk-weighted assets for U.S. chartered commercial and savings banks will be 7.25 percent at the end of 1990 and 8 percent by the end of 1992. The maximum allowance for loan loss included in Tier II capital will decline from 1.5 percent of risk-weighted assets at the end of 1990 to 1.25 percent at the end of 1992. Of the 3.625 percentage points of the Tier I capital requirement at the end of 1990, 3.25 points must be stockholders' equity; by the end of 1992, stockholders' equity must account for all 4 percent of Tier I capital. Rules for savings and loan associations will be similar with a similar schedule, although a declining amount of supervisory goodwill will be permitted for these institutions until 1995, as mandated by Congress. In contrast to the bank and other thrift risk-based capital, National Credit Union Administration rules permit the inclusions, without limit, of loan and investment loss reserves for credit unions.

period ending August 23, 1989, the impact of the shift to risk-based capital will likely be modest. Most of the 343 domestic depository institutions that would have been subject to caps during the survey period under the Board's new policy would have had their caps raised by the shift to risk-based capital. Approximately 20 percent of the 317 banks and 40 percent of the 26 thrift institutions would have had their caps reduced under the risk-based capital standards. The banks whose caps would have declined, including some of the larger overdrafters, had relatively large loan loss reserves, only a portion of which would be eligible for inclusion in Tier II capital. Most of the negatively affected thrifts were credit unions with modest overdrafts. Four of the 343 depository institutions would have experienced a significant increase in their cap utilization rates, although they would have incurred only modest levels of overdrafts, even with the inclusion of book-entry overdrafts. Given the limited impact of risk-based capital standards on the ability of most depository institutions to incur daylight overdrafts under the Board's cap policy and the scheduled adoption of these standards by the federal financial regulatory agencies, the Board has adopted its proposed risk-based capital standards for cap calculation purposes.

CHIPS Net Debits

The Board has adopted its proposal to eliminate CHIPS net debits from the cross-system cap, provided that implementation of settlement finality is adopted by CHIPS by January 10, 1991. Effective on that date, if CHIPS settlement finality is in place, an institution's cap will be applied only to total Fedwire overdrafts that are subject to cap.

The New York Clearing House is scheduled to implement settlement finality among CHIPS participants in the third quarter of 1990. Subsequently, should a CHIPS participant be unable to settle its net debit position at the close of a business day, each participant has agreed to cover the failed participant's position on the basis of a pre-arranged allocation formula; collateral will be pledged by each participant to assist in insuring that it will fund this settlement commitment. In short, CHIPS settlement on any day will be assured even if a large participant fails. In addition, this program should give rise to incentives for all CHIPS participants to be more risk-sensitive when they extend intraday credit limits to their CHIPS counterparties because these limits will establish their potential losses should that counterparty fail.

Fifteen commenters, generally large commercial banks, agreed with the exclusion of CHIPS net debits from the determination of compliance with caps. One commenter that supported the change emphasized that CHIPS net debits should be excluded only after settlement finality is adopted because of the likely migration of payments to CHIPS from Fedwire as a result of proposed Fedwire overdraft fees. Another commenter expressed concern about the ability of CHIPS to handle the expanded payments volume.

The proposed pricing of Fedwire overdrafts may cause institutions to shift payments from Fedwire, with it settlement finality, to CHIPS. The systemic risk associated with such a shift, however, is significantly diminished by CHIPS settlement finality, loss allocation, and the resulting enhanced risk sensitivity of CHIPS participants. CHIPS settlement finality is consistent with the Board's goal to induce participants in the payments system to limit their own risk exposures without creating Federal Reserve risk or significant systemic risk. Such actions by payments system participants reduce the necessity for Board policies limiting private daylight credit exposure.

Over 100 (mostly foreign banks) of the 140 CHIPS participants would not benefit from the exclusion of CHIPS net debits from the cap because they do not incur Fedwire overdrafts, have very low net debits, or are net creditors on CHIPS. The policy would benefit 35 large net debtors on CHIPS, that will no longer need to reduce their Fedwire cap by the amount of their CHIPS net debits. The increased Fedwire capacity for approximately 90 percent of these 35 institutions, however, will be less than 10 percent.

Five commenters opposed the change, citing the prudential benefits from greater Federal Reserve supervision and control of total overdrafts under the current system. Information on individual bank positions on CHIPS will continue to be made available on a daily basis to the Federal Reserve, facilitating prudential review of cross-system net debits. On balance, the Board believes that such review will be a sufficient replacement for the current policy after the new CHIPS rules become effective.

Two commenters raised the issue of the unsettled legal status of netting arrangements and requested the Board's assistance in obtaining clarifying legislation. The Board generally supports the concept of multilateral netting, and Federal Reserve staff is currently reviewing proposed netting legislation.

Exemptions

The Board has adopted a policy, as proposed, to excuse financially healthy U.S. chartered depository institutions that only rarely incur Fedwire overdrafts in excess of the lesser of \$10 million or 20 percent of their capital from filing board-of-directors' resolutions or self-assessments with their Reserve Banks. This dual test is designed to limit the exclusion to depository institutions that create only low-dollar risks to the Reserve Banks and to those institutions that incur small overdrafts relative to the institution's capital.

Reserve Banks will review the status of exempt depository institutions that incur total Fedwire overdrafts in excess of \$10 million or 20 percent of capital on more than two days in any two rolling two-week intervals and will decide if the exemption should be maintained or if the institutions will be required to file for a cap. Even for depository institutions meeting these size and frequency standards, the exemption would be granted at the discretion of the Reserve Bank. The Reserve Bank may choose to limit its own risk exposure by unilaterally imposing collateral requirements and/or a lower cap or a zero cap. A depository institution on which a Reserve Bank has imposed a zero cap, whether or not it has access to the discount window, will be prohibited from incurring funds transfer-related overdrafts. A depository institution with an imposed zero cap that has access to the discount window may incur collateralized book-entry overdrafts, but institutions with imposed zero caps and no discount window access may not incur book-entry overdrafts. Depository institutions with access to the discount window are free to file for a cap if they choose to do so and will be required to do so if they begin to exceed their exemption limits. (The Board has requested comment on penalty fees for inadvertent overdrafts incurred by institutions with imposed zero caps. See Docket #R-0693, elsewhere in today's Federal Register.)

There was no opposition to this proposal from the commenters. The proposal was generally viewed by the commenters as a reduction in burden that will not increase payments system risk. The Independent Bankers Association suggested that the Board go further and exempt all banks with assets of less than \$500 million because the risk level they create for the Federal Reserve is small. During the August 1989 test period, 120 of the 343 nonexempt institutions had assets of less than \$500

million; these institutions accounted for only \$510 million of the \$109.3 billion of the total Fedwire overdrafts of nonexempt institutions. Despite the modest aggregate risk caused by these 120 institutions, the Board believes they should be subject to self-assessment and caps. Exempting entities by size of institution is not indicative of the risk of overdrafts to the individual institution and would be inequitable for larger institutions with similar relative overdraft exposure.

The Board expects that this policy will result in a reduced burden to many institutions with only a marginal increase in direct Federal Reserve risk. During the August 1989 test period, 4,015 of the 4,358 depository institutions' Fedwire overdrafts were within the size and frequency tests established to qualify as exempt from filing a cap, yet those institutions accounted for less than 0.7 percent of aggregate Fedwire overdrafts. No exempt institution exceeded the exemption levels on more than two days during the 20-day test period, and most of the exempt institutions met the exemption criteria on each day of the test period. Moreover, most of the dollars of overdrafts were incurred by depository institutions that exceeded the exemption criteria very often; over 85 percent of the nonexempt overdrafts were incurred by 80 institutions that exceeded the exemption level each day in the test period.

De Minimis Caps

The Board has, as proposed, created a revised *de minimis* cap category, which permits U.S. chartered depository institutions to incur daylight overdrafts equal to 20 percent of capital, if a board-of-directors' resolution is submitted. No self-assessment is required for this cap category. This replaces the pre-existing *de minimis* cap category that imposed, in addition to a percent of capital constraint, both a \$500,000 limit and a frequency limit. The Board received 22 comments on the *de minimis* cap proposal, all in support of the proposal.

As in the case of the exempt from filing category, Reserve Banks will have the discretion to limit their own risk exposure from *de minimis* institutions by imposing unilateral collateral requirements and/or a lower cap or a zero cap. *De minimis* institutions will be required to file for a higher cap (and do a self-assessment) if their overdrafts begin to exceed 20 percent of capital. Reserve Banks will review the status of *de minimis* cap institutions that exceed their cap on more than two days in any rolling two-week period and will decide if the *de minimis* cap should be

maintained or if the institution will be required to file for a higher cap.

The new *de minimis* cap differs from the exemption category in that, in exchange for a board-of-directors' resolution by *de minimis* depository institutions) not required of exempt institutions), the \$10 million limit imposed on exempt institutions will not apply to *de minimis* institutions. Thus, larger institutions that restrain their daily overdrafts to 20 percent or less of their capital will not have to do a full self-assessment.

Competitive Impact Analysis

Under its competitive equity policy, the Board assesses the competitive impact of changes that have a substantial effect on payments system participants.² The Board believes these modifications to its payments system risk reduction program will have no adverse effect on the ability of other service providers to compete effectively with the Federal Reserve Banks in providing similar services. These modifications place controls on the use of the Federal Reserve Banks' funds and book-entry transfer services that are consistent with controls used in private clearing and settlement systems.

By order of the Board of Governors of the Federal Reserve System, May 24, 1990.

William W. Wiles,

Secretary of the Board.

[FR Doc. 90-12552 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

[Docket No. R-0670]

RIN 7100-AA76

Modifications to the Payments System Risk Reduction Program; U.S. Agencies and Branches of Foreign Banks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Policy statement.

SUMMARY: As part of its payments system risk reduction program, the Board is adopting a policy that will allow certain U.S. agencies and branches of a foreign bank an uncollateralized daylight overdraft cap equal to their cap multiple times a U.S. capital equivalency equal to 10 percent of the bank's worldwide capital,

² These assessment procedures are described in the Board's policy statement entitled "The Federal Reserve in the Payments System" (55 FR 11648, March 29, 1990).

provided the foreign bank's home country supervisor adheres to the Basle Capital Accord. All other foreign banks will continue to use the current U.S. capital equivalency to determine their uncollateralized caps. All measures of uncollateralized caps are conditioned on U.S. funding capability and potential eligible collateral satisfactory to the administering Reserve Bank. Regardless of their uncollateralized cap, all U.S. agencies and branches of foreign banks may incur collateralized funds overdrafts up to their cap multiple times 10 percent of their worldwide capital, and all may incur unlimited collateralized book-entry overdrafts.

EFFECTIVE DATE: January 10, 1991.

FOR FURTHER INFORMATION CONTACT: Edward C. Ettin, Deputy Director, Division of Research and Statistics (202/452-3368), Charles P. Thomas, Economist, Division of International Finance (202/452-3698); for the hearing impaired only: Telecommunications Device for the Deaf, Earnestine Hill or Dorothea Thompson (202/452-35440).

SUPPLEMENTARY INFORMATION:

Background

In April 1985, the Board of Governors adopted a policy to reduce risk on large-dollar payments systems. This policy, implemented in March 1986, established a maximum amount of intraday funds overdrafts that depository institutions are permitted to incur over both Fedwire and private large-dollar payments systems.¹ The maximum, or cap, for U.S. chartered institutions, is a multiple of the institution's capital² and is based on a self-assessment of a depository institution's creditworthiness, credit policies, and operational controls. In July 1987, the Board adopted a number of modifications to the daylight overdraft policy, including a two-step, 25 percent reduction in the cap, thus reducing the maximum daylight overdrafts permitted to individual depository institutions.³

Like U.S. chartered banks, foreign banks operating in the U.S. through agencies and branches ("foreign banks") are required to perform a self-assessment and obtain a board-of-directors' resolution to establish a cap

¹ Assuming settlement finality is adopted on the Clearing House Interbank Payments System ("CHIPS"), the cap will apply to Fedwire overdrafts only as of January 10, 1991 (see Docket #R-0670, elsewhere in today's Federal Register).

² The cap is currently based on adjusted primary capital, but as of January 10, 1991, the cap will be a multiple of risk-based capital (see Docket #R-0668, elsewhere in today's Federal Register).

³ These reductions became effective in January and May 1988. See 52 FR 29255 (August 6, 1987).

multiple. Although foreign banks have been allowed to apply that cap to worldwide capital to establish their cross-system caps (for Fedwire and CHIPS net debits combined) and their collateralized Fedwire caps, their uncollateralized Fedwire funds cap⁴ is the product of their cap multiple and their much smaller "U.S. capital equivalency."⁵ In 1987, the Board considered and determined not to amend the definition of U.S. capital equivalency.⁶ At the request of several foreign banks, however, the Board requested comment again in June 1989 on alternative methods of determining Fedwire caps for foreign banks.⁷ Specifically, the Board proposed:

- To continue the policy of allowing uncollateralized Fedwire overdrafts up to a Fedwire cap based on a cap multiple times U.S. capital equivalency, but requested comment on the appropriate measure of U.S. equivalency;
- To broaden the definition of Fedwire overdrafts to include those resulting from book-entry securities transfers as well as funds transfers; and
- To continue the policy of allowing Fedwire overdrafts up to a cap based on the cap multiple times worldwide capital, but to require that the total Fedwire overdraft be collateralized, not just the amount over the Fedwire cap, whenever the overdraft is in excess of the Fedwire cap because of book-entry overdrafts.

The activity of foreign banks on both CHIPS and Fedwire has grown rapidly since 1988 when the Board's daylight overdraft policy was implemented. Foreign banks' net debits on CHIPS account for twice that of U.S. banks, as CHIPS is used mainly for Eurodollar and foreign exchange settlement. Foreign banks account for a much smaller proportion of Fedwire funds overdrafts, in part because of their low Fedwire caps. The overdrafts of foreign banks on both networks are highly concentrated. In 1989, 20 foreign banks accounted for over half of all foreign bank net debits on CHIPS, while five accounted for a

similar proportion of the foreign bank overdrafts on Fedwire and 20 accounted for 97 percent of such overdrafts.

In developing its daylight overdraft policy for foreign banks, the Board has taken into consideration the fact that most of a foreign bank's assets and liabilities are located and controlled outside of the United States and are not under supervisory review by U.S. authorities. Moreover, the level of dollar payments of many foreign banks is quite substantial relative to their assets in the U.S., their deposits at the Federal Reserve, and their U.S. money market funding capacity.

Consequently, there appear to be practical limits on the ability of financially healthy and well-supervised foreign banks to raise dollars at very short notice in the U.S. market to meet liquidity needs in the event of credit or operational problems. Moreover, although both U.S. and foreign banks are expected to rely on their own resources or their private market funding capacity to meet liquidity needs, unusual circumstances may require access to the discount window and the provision of adequate eligible collateral.

In short, the geographic location of assets, limited U.S. supervision, the relative size of dollar flows, limits on U.S. funding capacity, and limits on discount window collateral, all played a role in the Board's previous policies to limit Fedwire overdrafts by even well-capitalized foreign banks. At the same time, by basing the cross-system cap on worldwide capital, previous policies provided foreign banks substantial flexibility to function their payments through CHIPS in an institutional framework in which other banks make a commercial judgment about the credit and liquidity capabilities of the foreign bank through imposition of bilateral credit limits and CHIPS-specific debit caps.

U.S. Capital Equivalency and Caps

The Board received 12 responses to its request for comment on the definition of U.S. capital equivalency. Both foreign and U.S. bank commenters stated that the Fedwire caps were set inequitably low. The commenters suggested that the Federal Reserve's policy did not recognize the worldwide strength of foreign banks. Moreover, commenters noted that the Basle Capital Accord, which will be phased in starting late this year, should alleviate the Board's concerns about the capital positions and supervision of those entities whose home-country supervisors adhere to the Accord.

Most of the foreign bank commenters suggested that the uncollateralized Fedwire cap should be based on total worldwide capital, just as it is for U.S. banks. They noted that many U.S. banks hold a considerable proportion of their assets offshore. Some commenters, including the Institute of International Bankers, suggested that 50 percent of worldwide capital be used as a compromise for establishing caps for foreign banks. Others suggested that worldwide capital be scaled by the ratio of U.S. dollar assets (held either in the U.S. or abroad) to total assets. The Board's Large Dollar Payments System Advisory Group recommended that, for those banks whose home country has adopted the Basle Capital Accord, the Board should develop a new formula for U.S. capital equivalency that provides foreign entities improved access to Fedwire without giving them a competitive advantage over U.S. banks.

Foreign banks do not use their current modest Fedwire caps intensively. The foreign bank commenters noted, however, that such low utilization rates are "statistical artifacts" because the Fedwire caps force foreign banks to rely mainly on CHIPS to function their payments. Accordingly, foreign banks argued that they do not try to use Fedwire intensively.

In the future, if the Board imposes an explicit price on Fedwire overdrafts as proposed,⁸ foreign banks may prefer to keep most of their payments business on CHIPS, where it appears that CHIPS caps are no more binding for them than for U.S. banks. Despite that possibility, there is support from both U.S. and foreign banks for a more expansive Fedwire cap for financially strong foreign banks, and the Board has determined to provide some relief for these institutions, based on their worldwide capital. A larger cap seems reasonable within a framework of the Basle Capital Accord, provided that due regard is taken of foreign banks' access to both U.S. dollar liquidity and acceptable collateral for discount window loans.

The Board does not believe, however, that caps for foreign banks should be based on total worldwide capital. Just as the yen or sterling business of U.S. chartered banks is a small proportion of their worldwide assets and capital, even with the reserve currency status of the U.S. dollar. As a result, dollar overdraft caps based on worldwide capital for foreign banks would produce caps that are relatively much larger than caps for U.S. banks, although these caps would

⁴ Foreign banks have been able to incur Fedwire overdrafts above their uncollateralized cap if collateral is pledged for this excess, so long as their cross-system overdrafts do not exceed their cross-system cap.

⁵ U.S. capital equivalency is currently defined as the greater of (1) the sum of the amount of capital (but not surplus) that would be required of a national bank being organized at each branch or agency location or (2) the sum of 5 percent of the total liabilities of each branch or agency, including acceptances, but excluding (a) accrued expenses and (b) amounts due and other liabilities to offices, branches, and subsidiaries of the foreign bank.

⁶ 52 FR 29255, August 6, 1987.

⁷ 54 FR 26106, June 21, 1989.

⁸ 54 FR 26094, June 21, 1989.

be subject to Reserve Bank modification to reflect U.S. funding capability and the availability of eligible collateral. This basis for cap measurement may result in considerably less relative restraint on foreign banks than on U.S. banks.

In addition, allowing foreign banks a cap based on total worldwide capital could cause competitive inequities should the Board adopt pricing of daylight overdrafts over a deductible based on a percentage of capital. Were the Board to allow foreign banks to their caps and deductible on total worldwide capital, foreign banks would be able to avoid most (or all) of the cost incurred by U.S. banks for the same level of overdrafts.

Therefore, the Board has adopted a policy that will allow foreign banks to determine their uncollateralized daylight overdraft capacity by applying their cap multiples to a U.S. capital equivalency equal to 10 percent of worldwide capital, provided the foreign bank's home-country supervisor adheres to the Basle Capital Accord. For all other foreign banks, cap multiples will continue to be applied to the current U.S. capital equivalency. All measures of U.S. capital equivalency are conditioned on Reserve Bank judgment that the U.S. branch or agency of the foreign bank has satisfactory U.S. funding capability and potential eligible collateral for a loan from the discount window, should it be unable to cover its daylight overdraft by the end of the day.

The Board believes the new definition of U.S. capital equivalency will provide a significant increase in the capacity for uncollateralized Fedwire overdrafts for most foreign banks. Lower ratios, such as 5 percent of worldwide capital, would reduce Fedwire overdraft capacity, especially among the largest foreign bank Fedwire users. A new U.S. capital equivalency for foreign banks based on 10 percent of worldwide capital appears not only to provide significant increases in overdraft capacity for virtually all foreign banks, but also to provide them with the capability of shifting all of their CHIPS business (in most cases) to Fedwire—an unlikely event, especially if Fedwire overdrafts are priced. Higher capital equivalencies would not only be redundant but would, with Fedwire overdraft pricing and deductible based on U.S. capital equivalency, sharply reduce the Fedwire cost to these banks, giving them a competitive advantage over U.S. banks.

In addition to competitive equity and prudential concerns with the use of total worldwide capital by foreign banks, the Board believes its concern about the late-in-the-day funding capacity of foreign banks in the U.S. money market

is still a significant factor, should those banks be unable to fund their Fedwire overdrafts due to operational or other reasons. The need in such circumstances to provide an overnight discount window loan is obvious, and satisfactory collateral for such loans is required by statute. Thus, the Board's policy takes into account the access of foreign banks to U.S. dollar liquidity.

When implementing the new U.S. capital equivalency measure, in the absence of contrary information, the Reserve Banks will presume that all banks chartered in G-10 countries (the Basle Capital Accord signatories) have met the acceptable prudential capital/supervisory standards, and will consider any bank chartered in any other nation that adopts the Basle Capital Accord standards (or requires capital at least as large and in the same form as called for by the Accord) eligible for the Reserve Banks' review for meeting acceptable prudential capital/supervisory standards. Banks from G-10 countries, as well as those from other nations that adhere to the Basle Capital Accord, that otherwise meet Reserve Bank capital/supervisory standards will be authorized to file for an uncollateralized cap based on a U.S. capital equivalency equal to 10 percent of worldwide capital, subject to Reserve Bank adjustments for funding capabilities and potential eligible collateral. All other banks will be authorized to file for an uncollateralized cap based on the current U.S. capital equivalency.

The administering Reserve Banks will review the caps submitted by all U.S. branches and agencies of foreign banks and may modify the institution's overdraft capacity using the following guidelines:

(1) Uncollateralized Fedwire capacity should be consistent with the demonstrated ability of the branch or agency to access dollar liquidity in the U.S. market, and, if it is not consistent, Fedwire capacity should be reduced by the Reserve Bank to a level consistent with that ability, regardless of any collateral that the foreign bank has pledged (or is willing to pledge) to the Reserve Bank.

(2) Uncollateralized Fedwire capacity also should be consistent with the demonstrated ability of the foreign bank to provide, under stressful market conditions, acceptable discount window collateral for the full potential exposure to the Federal Reserve.

(3) In no case should the uncollateralized Fedwire capacity exceed the smaller of the cap multiple times the appropriate U.S. capital equivalency, the U.S. funding capacity of the branches and agencies, or what

the Reserve Bank believes to be eligible discount window collateral.

The ability of Reserve Banks to modify overdraft capacity will permit Reserve Banks to limit their own risks on a case-by-case basis and assure that caps are consistent with both a foreign bank's access to the U.S. money market and its ability to fund itself under stressful conditions, including discount window access.

The adjustment to each foreign bank's overdraft capacity could well become the basis for the deductible, should pricing be adopted. In order to avoid large deductibles for pricing linked to relatively small effective caps, the amount on which the deductible is based could be reduced if the cap is reduced by the Reserve Bank and might be equal to the lower of the U.S. capital equivalency or the cap.

Further, the changes in measuring daylight overdrafts for U.S. chartered institutions, including combining funds and book-entry securities overdrafts, requiring collateral for book-entry overdrafts exceeding caps, and excluding net debits on CHIPS (assuming CHIPS implements settlement finality)⁹ will also be applied to foreign banks. All foreign banks will maintain their market-determined access to CHIPS, unfettered by the Board's daylight overdraft policy.

In addition, the Board's policies on exemptions from cap (Fedwire overdrafts less than \$10 million and 20 percent of the appropriate U.S. capital equivalency) and the *de minimis* cap (Fedwire overdrafts less than 20 percent of the appropriate U.S. capital equivalency) are applicable to foreign banks to the same extent as they apply to U.S. institutions.¹⁰ Moreover, home-country supervisors of banks with U.S. branches and agencies will be advised by the administering Reserve Bank of the Fedwire capacity of banks under their jurisdiction, as well as of other pertinent conditions about their caps. Home-country supervisors requesting information on the Fedwire overdrafts of their banks will be provided that information on a regular basis.

Collateralized Overdrafts in Excess of Caps

In its June 1989 request for comment, the Board proposed to require collateralization of a foreign bank's entire Fedwire overdraft if the bank exceeded its Fedwire cap due to book-

⁹ See Docket #R-0669, elsewhere in today's Federal Register.

¹⁰ See Docket #R-0668, elsewhere in today's Federal Register.

entry overdrafts. The proposal was motivated by the desire both to assure sufficient collateral for the entire overdraft should a discount window loan be required and to strengthen the Reserve Bank's interest in the collateral should the bank fail before the overdraft was extinguished.

Fourteen commenters explicitly addressed the issue of full collateralization of overdrafts. Of these, three agreed with the proposed policy while eleven disagreed with it.

One commenter noted that, as with the definition of U.S. capital equivalency, the proposed policy on collateralization would encourage foreign banks to participate more in available netting practices. Another commenter supported the proposal as a matter of equity, stating that, if domestic institutions are to be subject to collateral requirements and to a Fedwire cap based on their capital, then foreign institutions' branches and agencies should be subject to similar, if not the same, types of risk controls.

Those that objected to the proposed policy did so for a variety of reasons. Most of those objecting to the policy thought it was unfair to apply full collateralization to only those U.S.-based institutions that frequently and materially exceed their Fedwire cap because of book-entry security overdrafts, but to require all foreign-based banks to fully collateralize their overdrafts when they exceed their Fedwire caps.

Another foreign bank commented that, under the proposed policy, the collateral required to support its existing and anticipated Fedwire payments volume exceeds its available collateral now in the United States and thought that it might prove more economical to route Fedwire payments through the large U.S. banks than to incur the administrative overhead associated with collateralizing overdrafts. The commenter noted that this would require it to share information about its payments flows with competitors. Several commenters thought that the proposed policy would increase the risk to the U.S. payments system by reducing the presence of some very strong foreign institutions and by further concentrating the U.S. payments system.

One commenter supported the complete collateralization requirement but expressed concern about the model set by the U.S. policy for developments in foreign payments system practices. The commenter saw this policy initiative as an opportunity for the Board to promote the principle that assets used to support payment activities need not be located in that particular country. The

commenter urged the Board to consider using assets denominated in the home currency as a secondary source of collateral. The commenter proposed that these assets could be held at the home-country central bank or supervisory authority and pledged to its Reserve Bank. Similarly, two foreign banks suggested that U.S. Treasury securities booked in the name of non-U.S. offices be accepted as collateral because their book-entry form made it possible for the Reserve Banks to perfect an interest in that collateral.

A domestic bank recommended that the Board abandon altogether the collateralization requirement for overdrafts of foreign bank branches and agencies and instead focus its attention on the financial strength of institutions seeking to base their caps on worldwide capital. It suggested that, in cases where the likelihood of default by an institution is equivalent to that posed by an equally sound U.S. bank, worldwide capital be used for setting caps without collateralization of any part of the overdraft and that, in other cases, the institution's cap should be based on U.S. capital equivalency.

The Board has adopted a policy to permit all foreign banks, regardless of their uncollateralized cap, to incur funds overdrafts up to an amount equal to their cap multiple times 10 percent of their worldwide capital (as long as the amount of the overdraft above the uncollateralized cap is collateralized) and unlimited collateralized book-entry overdrafts. This policy offers all foreign banks, under terms that reasonably limit Reserve Bank risk, a level of overdrafts based on the same proportion of their worldwide capital. Under the policy, banks chartered in countries that follow the Basle Accord with demonstrated collateral and funding capacity will not receive a larger cap than they already have (the cap multiple times 10 percent of worldwide capital), and except for book-entry overdrafts, will not be permitted to incur overdrafts above that cap, even with collateral. All other foreign banks may incur overdrafts to the same extent as banks from Basle Accord countries, i.e., up to their cap multiple times 10 percent of their worldwide capital, provided that sufficient collateral is posted for any overdrafts in excess of the cap based on their U.S. capital equivalency. As discussed in Docket #R-0669, elsewhere in today's Federal Register, foreign banks may choose to collateralize their book-entry overdrafts, even if they do not exceed their caps, and such secured overdrafts shall not be included with those overdrafts measured against the cap.

Competitive Impact Analysis

Under its competitive equity policy, the Board assesses the competitive impact of changes that have a substantial effect on payments system participants.¹¹ The Board believes these modifications to its payments system risk reduction program will have no adverse effect on the ability of other service providers to compete effectively with the Federal Reserve Banks in providing similar services. These modifications place controls on the use of the Federal Reserve Banks' funds and book-entry transfer services, which are consistent with controls used in private clearing and settlement systems.

By order of the Board of Governors of the Federal Reserve System, May 24, 1990.

William W. Wiles,

Secretary of the Board.

[FR Doc. 90-12554 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

Amsterdam-Rotterdam Bank N.V. and Stichting Amro; Application To Engage in the Execution and Clearance of Securities, Futures Contracts, and Options on Futures Contracts Correction

This notice corrects a previous Federal Register Notice (FR Doc. 90-11020) published at page 19786 of the issue for Friday, May 11, 1990.

Under the Federal Reserve Bank of New York, the entry for Amsterdam-Rotterdam Bank N.V. and Stichting Amro is amended to include the following:

1. In addition, Applicants seek authority to engage in the execution and clearance of other financially-related index futures contracts (and options thereon) that may be offered from time to time on major commodity exchanges upon prior notice to and approval from the Federal Reserve Bank of New York.

Comments on this application must be received by June 14, 1990.

Dated: May 24, 1990.

Board of Governors of the Federal Reserve System.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12556 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

¹¹ These assessment procedures are described in the Board's policy statement entitled "The Federal Reserve in the Payments System" (55 FR 11648, March 29, 1990).

The Dai-Ichi Kangyo Bank, Ltd.; Acquisition of Company Engaged in Nonbanking Activities

The organization listed in this notice has applied under section 225.23 (a) or (f) of the Board's Regulation Y (12 CFR 225.23 (a) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 19, 1990.

A. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *The Dai-Ichi Kangyo Bank, Ltd.*, Tokyo, Japan; to engage *de novo* through its subsidiary, The CIT Group Holdings, Inc., New York, New York, in financial advisory activities, including acting as an agent for and providing advice and assistance in connection with the structuring, financing and negotiating of, domestic and international merger, acquisition, divestiture, joint venture, leveraged buyout, recapitalization, financing and other corporate transactions, including private and public financings, for financial and nonfinancial institutions; and providing loan marketing and advisory services to

financial and nonfinancial institutions, other business entities and pension plans, including providing advice to such entities which seek to purchase or sell loans and other extensions of credit, providing assistance to such entities in the purchase and sale of such loans and other extensions of credit, and acting as an agent, broker or adviser to such entities with respect to loans and other extensions of credit.

Board of Governors of the Federal Reserve System.

Dated: May 24, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12557 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

The Dai-Ichi Kangyo Bank, Ltd., Japan; Application To Engage *de Novo* in Leasing Activities

The Dai-Ichi Kangyo Bank, Limited, Tokyo, Japan ("DKB"), has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) ("BHC Act") and § 225.23(a)(3) of the Board's Regulation Y (12 CFR 225.23(a)(3)), for permission to engage *de novo*, directly or indirectly, through its existing subsidiary, the CIT Group Holdings, Inc., New York, New York ("CIT Holdings"), or any of CIT Holdings' existing subsidiaries or any of its subsidiaries yet to be formed (together with CIT Holdings, "CIT"), in certain leasing activities involving the leasing of personal property, and acting as agent, broker, or advisor in leasing such property. These activities will be conducted throughout the United States and in foreign countries.

In this application, DKB proposes to expand CIT's leasing activities to include leasing transactions that comply with all of the conditions of Regulation Y, 12 CFR 225.25(b)(5), except as set out below. DKB is requesting the Board's prior approval to engage in leasing transactions the terms of which will allow CIT to rely for its compensation on the estimated residual value of the property at the expiration of the initial term of the lease up to 100 percent of the acquisition cost of the property. DKB has stated that it will limit such leases with estimated residual values in excess of 25 percent of acquisition cost to no more than 10 percent of DKB's total consolidated assets. DKB will also limit leases with estimated residual values in excess of 70 percent of acquisition cost to not more than the lesser of (i) 0.5 percent of DKB's total consolidated assets, or (ii) 10 percent of DKB's consolidated net

worth. Regulation Y currently limits residual value reliance to no more than 20 percent of the acquisition cost of the property to the lessor. 12 CFR 225.24(b)(5)(iv)(C).

Section 4(c)(8) of the BHC Act provides that a bank holding company may engage in any activity which the Board has determined to be "so closely related to banking or managing or controlling banks as to be a proper incident thereto." A particular activity may be found to meet the "closely related to banking" test if it is demonstrated that banks have generally provided the proposed activity; that banks generally provide services that are operationally or functionally so similar to the proposed activity so as to equip them particularly well to provide the proposed activity; or that banks generally provide services that are so integrally related to the proposed activity as to require their provision in a specialized form. *National Courier Ass'n v. Board of Governors*, 516 F.2d 1229, 1237 (D.C. Cir. 1975). In addition, the Board may consider any other basis that may demonstrate that the activity has a reasonable or close relationship to banking or managing or controlling banks. Board Statement Regarding Regulation Y, 49 Fed. Reg. 806 (1984).

DKB believes that its proposed leasing activities, including the less restrictive residual value requirement, are closely related to banking, and cites as authority two recent orders of the Board. *Security Pacific Corporation*, 76 Fed. Res. Bull. _____ (1990) [Order dated April 30, 1990]; *The Mitsui Taiyo Kobe Bank, Limited*, 76 Fed. Res. Bull. _____, n.2) (Order dated May 7, 1990). In addition, DKB cites the expanded statutory authority for national banks to engage in leasing transactions on a net lease basis. 12 U.S.C. 24 (Tenth). The regulations proposed by the Office of the Comptroller of the Currency to implement this statutory authority do not contain any maximum residual value.

In determining whether an activity meets the second, or proper incident to banking test of section 4(c)(8), the Board must consider whether the performance of the activity by an affiliate of a holding company "can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices."

DKB contends that CIT's conduct of the proposed activities will result in

significant public benefits that will outweigh possible adverse effects. DKB states that such public benefits will take the form of increased competition in the leasing industry, improved services to leasing customers, increase safety and soundness through strengthening of DKB's portfolio and increased earnings, and gains in efficiency.

Comments regarding the application must be received at the office of the Board of Governors no later than June 19, 1990.

Dated: May 14, 1990.

Board of Governors of the Federal Reserve System.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12558 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

Midstates Bancshares, Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless other noted, comments regarding each of these applications must be received not later than June 19, 1990.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Midstates Bancshares, Inc.*, Omaha, Nebraska; to become a bank holding company by acquiring 100 percent of the voting shares of Harlan National Company, Harlan, Iowa, and thereby indirectly acquire The Harlan National Bank, Harlan, Iowa; and First National

Company of Missouri Valley, Missouri Valley, Iowa, and thereby indirectly acquire The First National Bank of Missouri Valley, Missouri Valley, Iowa.

B. Federal Reserve Bank of St. Louis (Randall S. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Bank Group, Inc.*, Brinkley, Arkansas; to become a bank holding company by acquiring at least 80 percent of FirstBank of Arkansas, Brinkley, Arkansas, and 100 percent of the voting shares of Bank of Kensett, Kensett, Arkansas.

C. Federal Reserve Bank of San Francisco (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *Cathay Bancorp.*, Los Angeles, California; to become a bank holding company by acquiring 100 percent of the voting shares of Cathay Bank, Los Angeles, California.

Board of Governors of the Federal Reserve System, May 24, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12560 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

C.D. Roberts; Change in Bank Control; Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notice is available for immediate inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for the notice or to the offices of the Board of Governors. Comments must be received not later than June 14, 1990.

A. Federal Reserve Bank of Cleveland (John J. Wixted, Jr., Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *C.D. Roberts*, Pikeville, Kentucky; to acquire an additional 3.03 percent of the voting shares of Trans-Kentucky Bancorp., Inc., Pikeville, Kentucky, for a total of 18.18 percent.

Board of Governors of the Federal Reserve System, May 24, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12561 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

First Southeast Banking Corp.; Application to Engage de novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) of the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 19, 1990.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *First Southeast Banking Corp.*, Lake Geneva, Wisconsin; to engage *de novo* in making and servicing loans pursuant

to § 225.25(b)(1) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, May 24, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12559 Filed 5-30-90; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

[Announcement No. 045]

Cooperative Agreements: Evaluate New Tuberculosis Diagnostic Tests Based on Polymerase Chain Reaction (PCR); Amendment

A notice announcing the availability of Fiscal Year 1990 funds for cooperative agreement to evaluate a new diagnostic test for mycobacterial diseases based on the polymerase chain reaction (PCR) was published in the *Federal Register* on Friday, May 11, 1990, (55 FR 19789). The notice is amended as follows:

On page 19790, second column, information regarding submission and receipt of applications under the heading "Application Submission and Deadline," is amended as follows: The due date for submission of the application is changed from June 1, 1990, to June 29, 1990.

All other information and requirements in the notice remain the same.

Dated: May 24, 1990.

Robert L. Foster,

Acting Director, Office of Program Support Centers for Disease Control.

[FR Doc. 90-12599 Filed 5-30-90; 8:45 am]

BILLING CODE 4160-18-M

Statement of Organization, Functions, and Delegations of Authority

Part H, chapter HC (Centers for Disease Control) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (45 FR 67772-67776, dated October 14, 1980, and corrected at 45 FR 69296, October 20, 1980, as amended most recently at 55 FR 17309-17310, April 24, 1990) is amended to reflect the revision of the functional statement for the Division of Vector-Borne Infectious Diseases, Center for Infectious Diseases.

Section HC-B, *Organization and Functions*, is hereby amended as follows:

Delete in its entirety the functional statement for the *Division of Vector-Borne Infectious Diseases (HCRT)* and substitute the following:

(1) Conducts surveillance, investigations, and studies of vector-borne viral and bacterial diseases to define disease etiology and to develop effective methods and strategies for surveillance, diagnosis, prevention, and control; (2) conducts investigations on the biology, ecology, and control of arthropod vectors of viral and bacterial diseases as a basis for development of new and/or modification of existing measures for more effective prevention and control; (3) conducts or participates in clinical, field, and laboratory studies to develop, evaluate, and improve laboratory methods and materials and therapeutic practices used for diagnosis, prevention, and treatment of vector-borne infectious diseases; (4) provides epidemic aid and epidemiologic consultation, upon request, to State and local health departments, other Federal agencies, and national and international health organizations; (5) provides reference/diagnostic services for vector-borne viral and bacterial diseases to State and local health departments, other Federal agencies, and national and international health organizations; (6) conducts research and collaborates on development and evaluation of immunizing agents and the role of protective immunity in the disease process; (7) provides guidance and scientific direction to the San Juan, Puerto Rico, field activities for application of effective programs in surveillance, diagnosis, prevention, and control of dengue fever; (8) provides scientific and technical assistance to other CID components when the work requires unique expertise or specialized equipment not available in other components; (9) provides intramural and extramural technical expertise and assistance in professional training activities; (10) serves as appropriately designated national international reference centers for vector-borne viral and bacterial diseases.

Dated: May 22, 1990.

William L. Roper,

Director, Centers for Disease Control.

[FR Doc. 90-12598 Filed 5-30-90; 8:45 am]

BILLING CODE 4160-18-M

Health Care Financing Administration

Hearing; Reconsideration of Disapproval of Missouri State Plan Amendment (SPA)

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of hearing.

SUMMARY: This notice announces an administrative hearing on July 19, 1990 in room 215, New Federal Office Building, 601 East 12th Street, Kansas City Missouri to reconsider our decision to disapprove Missouri State Plan Amendment 89-16.

CLOSING DATE: Requests to participate in the hearing as a party must be received by the Docket Clerk by June 15, 1990.

FOR FURTHER INFORMATION CONTACT:

Docket Clerk,
HCFA Hearing Staff,
300 East High Rise,
6325 Security Boulevard,
Baltimore, Maryland 21207,
Telephone: (301) 966-4471.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to disapprove the effective date of Missouri State Plan amendment (SPA) number 89-16.

Section 1116 of the Social Security Act (the Act) and 42 CFR part 430 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid Agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues that will be considered at the hearing, we will also publish that notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with the requirements contained at 42 CFR 430.76(b)(2). Any interested person or organization that wants to participate as *amicus curiae* must petition the Hearing Officer before the hearing begins in accordance with the requirements contained in 42 CFR 430.76(c).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

Missouri SPA 89-16 relates to the State Medicaid Plan for payment of inpatient hospital services. The amendment would revise the application of the trend factor, the largest single determinant of the hospital's year-to-year payment increases, for fiscal year 1990, thereby modifying the methods and standards used for setting payment rates. Specifically, each hospital would receive an increase comprised of one-half of the trend factor multiplied by the facility-specific cost, and one-half of the

trend factor multiplied by the weighted average rate for all Missouri hospitals. The State has requested an effective date of July 1, 1989, for this amendment.

The issue in this matter is whether the State published public notice before the proposed effective date of the change as required by Federal regulations at 42 CFR 447.253(f) and 42 CFR 447.205.

Federal regulations at 42 CFR 430.12(c) require a State plan to be amended to reflect new or revised Federal statutes or regulations or material change in any phase of State law, organization, policy, or State agency operation. In accordance with Federal regulations at 42 CFR 447.253(f), the Medicaid agency must also comply with the public notice requirements in § 447.205 when it is proposing significant changes to its methods and standards for setting payment rates for inpatient hospital and long-term care facility services. Section 447.205(d)(1) requires that the notice be published before the proposed effective date of the change. Sections 447.205(c) and (d) set forth additional requirements regarding the content and publication of the notice.

HCFA believes the revisions to the application of the trend factor represent a significant proposed change in the State's methods and standards in setting payments rates for services. The negotiated trend factor is an inherent part of the language in the approved State plan, and it is the largest single determinant of the hospitals' year to year payment increases. However, the methods and standards for explaining the trend factor adjustments are not contained in the current State plan. Consequently, HCFA believes adjustment for each trend factor increase requires a separate plan amendment, assurances and related rate information (including public notice) in accordance with 42 CFR 447.253ff.

The plan amendment was submitted by the State of Missouri on September 14, 1989, together with assurances and related rate information. The State published a public notice which met the requirements of 42 CFR 447.205 on September 1, 1989. Accordingly, HCFA has determined that the effective date for the amendment cannot be July 1, 1989. However, HCFA approved the amendment with an effective date of September 2, 1989. The day following the publication of the State's notice.

The notice to Missouri announcing an administrative hearing to reconsider the disapproval of its State plan amendment reads as follows:

Mr. Gary Stangler
Director
Department of Social Services
Broadway State Office Building

P.O. Box 1527

Jefferson City, Missouri 65102-1527

Dear Mr. Stangler: Your request for reconsideration of the decision to disapprove the effective date of Missouri State Plan Amendment (SPA) 89-18 was received on May 1, 1990. Missouri SPA 89-16 relates to the State Medicaid plan for payment of inpatient hospital services. The amendment would revise the application of the trend factor for fiscal year 1990, the largest single determinant of the hospitals' year-to-year payment increases, thereby modifying the methods and standards used for setting payment rates. The State has requested an effective date of July 1, 1989, for this amendment.

The issue in this matter is whether the State published public notice before the proposed effective date of the change as required by Federal regulations at 42 CFR 447.253(f) and 42 CFR 447.205.

I am scheduling a hearing on your request to be held on July 19, 1990, at 10 a.m. in Room 215, New Federal Office Building, 601 East 12th Street, Kansas City, Missouri. If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties. The hearing will be governed by the procedures prescribed in 42 CFR Part 430.

I am designating Mr. Stanley Katz as the presiding officer. If these arrangements present any problems, please contact the Docket Clerk. In order to facilitate any communication which may be necessary between the parties to the hearing, please notify the Docket Clerk of the names of the individuals who will represent the State at the hearing. The Docket Clerk can be reached at (301) 966-4471.

Sincerely,

Gail R. Wilensky, Ph.D.,

Administrator.

(Section 1116 of the Social Security Act (42 U.S.C. 1316); 42 CFR 430.18)

(Catalog of Federal Domestic Assistance Program No. 13.714, Medicaid Assistance Program)

Dated: May 24, 1990.

Gail R. Wilensky,

Administrator, Health Care Financing Administration.

[FR Doc. 90-12583 Filed 5-30-90; 8:45 am]

BILLING CODE 4120-03-M

on June 21, 1990, for a brief staff presentation on the current status of the Animal Resources Program and the selection of future meeting dates. Attendance by the public will be limited to space available.

In accordance with the provision set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92-463, the meeting will be closed to the public from 9 a.m. until recess on June 21, 1990, and from 8 a.m. until adjournment on June 23, 1990, for the review, discussion and evaluation of individual grant applications submitted to the Animal Resources Program. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Michael Fluharty, Public Affairs Specialist, National Center for Research Resources, 5333 Westbard Avenue, room 10A15, Bethesda, Maryland 20892, (301) 496-5545, will provide a summary of the meeting and a roster of the committee members upon request.

Dr. Arthur D. Schaerdel, Executive Secretary of the Animal Resources Review Committee, National Center for Research Resources, National Institutes of Health, 5333 Westbard Avenue, room 10A16, Bethesda, Maryland 20892, (301) 496-4390, will furnish substantive program information upon request.

(Catalog of Federal Domestic Assistance Programs No. 13.306, Laboratory Animal Sciences, National Institutes of Health)

Dated: May 15, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90-12495 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Institutes of Health

National Center for Research Resources; Meeting of the Animal Resources Review Committee

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Animal Resources Review Committee, National Center for Research Resources, National Institutes of Health.

The meeting will be held on June 21-22, 1990, at the National Institutes of Health, 9000 Rockville Pike, Building 31, C Wing, Conference Room 6, Bethesda, Maryland 20892. The meeting will be open to the public from 8 a.m. to 9 a.m.

National Heart, Lung, and Blood Institute; Meeting of the Clinical Trials Review Committee

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Clinical Trials Review Committee, National Heart, Lung, and Blood Institute, June 24-27, 1990, Holiday Inn Crowne Plaza, 1750 Rockville Pike, Rockville, Maryland 20852.

The meeting will be open to the Public on June 24, from 7 p.m. to approximately 8 p.m. to discuss administrative details and to hear a report concerning the current status of the National Heart, Lung, and Blood Institute. Attendance

by the public is limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C., and section 10(d) of Public Law 92-463, the meeting will be closed to the public on June 24, from approximately 8 p.m. to adjournment on June 27, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Terry Belicha, Chief, Communications and Public Information Branch, National Heart, Lung, and Blood Institute, Building 31, room 4A-21, National Institutes of Health, Bethesda, Maryland 20892, (301) 496-4236, will provide a summary of the meeting and a roster of the Committee members.

Dr. David M. Monsees, Jr., Contracts, Clinical Trials and Training Review Section, Division of Extramural Affairs, National Heart, Lung, and Blood Institute, Westwood Building, room 550B, Bethesda, Maryland 20892, (301) 496-7361, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, Heart and Vascular Diseases Research; 13.838, Lung Diseases Research; 13.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: May 15, 1990.

Betty J. Beveridge,
Committee Management Officer, NIH.

[FR Doc. 90-12498 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Heart, Lung, and Blood Institute; Meeting of Heart, Lung, and Blood Research Review Committee B

Pursuant to Public Law, 92-463, notice is hereby given of the meeting of the Heart, Lung, and Blood Research Review Committee B, National Heart, Lung, and Blood Institute, National Institutes of Health, on June 21, 1990, in Building 31, Conference Room 9, 9000 Rockville Pike, Bethesda, Maryland 20892.

This meeting will be open to the public on June 21 from 9 a.m. to approximately 10 a.m. to discuss administrative details and to hear reports concerning the current status of the National Heart, Lung, and Blood

Institute. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92-463, the meeting will be closed to the public on June 21 from approximately 10 a.m. until adjournment for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Terry Belicha, Chief, Communications and Public Information Branch, National Heart, Lung, and Blood Institute, Building 31, room 4A21, National Institutes of Health, Bethesda, Maryland 20892, (301) 496-4236 will provide a summary of the meeting and a roster of the committee members.

Dr. Louis M. Ouellete, Executive Secretary, Heart, Lung, and Blood Research Review Committee B, Westwood Building, room 554, National Institutes of Health, Bethesda, Maryland 20892, (301) 496-7915, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, Heart and Vascular Diseases Research; 13.838, Lung Diseases Research, National Institutes of Health.)

Dated: May 15, 1990.

Betty J. Beveridge,
Committee Management Officer, NIH.

[FR Doc. 90-12496 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Heart, Lung, and Blood Institute; Meeting of Heart, Lung, and Blood Research Review Committee A

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Heart, Lung, and Blood Research Committee A, National Heart, Lung, and Blood Institute, National Institutes of Health, on June 21-22, 1990, in Building 31, Conference Room 7, 9000 Rockville Pike, Bethesda, Maryland 20892.

This meeting will be open to the public on June 21, 1990, from 9 a.m. to approximately 10 a.m. to discuss administrative details and to hear reports concerning the current status of the National Heart, Lung, and Blood Institute. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and

552b(c)(6), title 5, U.S.C., and section 10(d) of Public Law 92-463, the meeting will be closed to the public on June 21 from approximately 10 a.m. until adjournment on June 22 for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Terry Belicha, Chief, Communications and Public Information Branch, National Heart, Lung, and Blood Institute, Building 31, room 4A21, National Institutes of Health, Bethesda, Maryland 20892, (301) 496-4236 will provide a summary of the meeting and a roster of the committee members.

Dr. Alfred Small, Acting Executive Secretary, Heart, Lung, and Blood Research Review Committee A, Westwood Building, room 552, National Institutes of Health, Bethesda, Maryland 20892, (301) 496-7917, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, Heart and Vascular Diseases Research; 13.838, Lung Diseases Research; National Institutes of Health.)

Dated: May 15, 1990.

Betty J. Beveridge,
Committee Management Officer, NIH.
[FR Doc. 90-12497 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

Public Health Service

National Toxicology Program; Availability of Technical Report on Toxicology and Carcinogenesis Studies of Bromoethane

The HHS' National Toxicology Program announces the availability of the NTP Technical Report on toxicology and carcinogenesis studies of bromoethane, an alkylating agent primarily used as a chemical intermediate in organic synthesis, in the manufacture of pharmaceuticals, and for the ethylation of gasoline.

Toxicology and carcinogenesis studies were conducted by exposing groups of 50 rats and 50 mice of each sex to air containing bromoethane at concentrations of 0, 100, 200, or 400 ppm, for 6 hours per day, 5 days per week, for 103 or 104 weeks.

Under the conditions of these 2-year inhalation studies, there was some

evidence of carcinogenic activity¹ of bromoethane for male F344/N rats, as indicated by increased incidences of pheochromocytomas of the adrenal gland; neoplasms of the brain and lung may also have been related to exposure to bromoethane. For female F344/N rats, there was equivocal evidence of carcinogenic activity, as indicated by marginally increased incidences of neoplasms of the brain and lung. For male B6C3F1 mice, there was equivocal evidence of carcinogenic activity, based on marginally increased incidences of neoplasms of the lung. There was clear evidence of carcinogenic activity for female B6C3F1 mice, as indicated by neoplasms of the uterus.

The study scientist for these studies is Dr. Joseph Roycroft. Questions or comments about this Technical Report should be directed to Dr. Roycroft at P.O. Box 12233, Research Triangle Park, NC 27709 or telephone (919) 541-3627.

Copies of Toxicology and Carcinogenesis Studies of Bromoethane (Ethyl Bromide) in F344/N Rats and B6C3F1 Mice (Inhalation Studies) (TR 363) are available without charge from the NTP Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: May 23, 1990.

David P. Rall,

Director.

[FR Doc. 90-12499 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Toxicology Program; Availability of Technical Report on Toxicology and Carcinogenesis Studies of Diphenhydramine Hydrochloride

The HHS' National Toxicology Program announces the availability of the NTP Technical Report on toxicology and carcinogenesis studies of diphenhydramine hydrochloride, a widely used antihistaminic drug in human and veterinary medicine.

Toxicology and carcinogenesis studies were conducted by feeding diets containing 0, 313, or 625 ppm USP-grade diphenhydramine hydrochloride to groups of 50 male rats for 103 weeks. Diets containing 0, 156, or 313 ppm were fed to groups of 50 female rats and 50 male and female mice for 103 weeks

(female rats and female mice) or 105 weeks (male mice).

Under the conditions of these 2-year feed studies, there was equivocal evidence of carcinogenic activity¹ of diphenhydramine hydrochloride for male F344/N rats, based on marginally increased incidences of uncommon brain neoplasms (astrocytomas or gliomas) and of alveolar/bronchiolar neoplasms. There was equivocal evidence of carcinogenic activity for female F344/N rats, based on a marginal increase in the incidence of pituitary gland adenomas. There was no evidence of carcinogenic activity for male or female B6C3F1 mice fed diets containing 156 or 313 ppm diphenhydramine hydrochloride.

The study scientist for these studies is Dr. R. Melnick. Questions or comments about the conduct of this Technical Report should be directed to Dr. Melnick at P.O. Box 12233, Research Triangle Park, NC 27709 or telephone (919) 541-4142.

Copies of Toxicology and Carcinogenesis Studies of Diphenhydramine Hydrochloride in F344/N Rats and B6C3F1 Mice (Feed Studies) (TR 355) are available without charge from the NTP Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: May 23, 1990.

David P. Rall,

Director.

[FR Doc. 90-12500 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Toxicology Program; Availability of Technical Report on Toxicology and Carcinogenesis Studies of Ochratoxin A

The HHS' National Toxicology Program announces the availability of the NTP Technical Report on toxicology and carcinogenesis studies of Ochratoxin A, a naturally occurring fungal toxin that is a contaminant in corn, peanuts, storage grains, cottonseed, meats, dried fish, and nuts.

Toxicology and carcinogenesis studies were conducted by administering 0, 21, 70, or 210 micrograms/kg ochratoxin A in corn oil by gavage, 5 days per week for 9 months, 15 months, or 103 weeks.

¹ The NTP uses five categories of evidence of carcinogenic activity to summarize the strength of the evidence observed in each experiment: Two categories for positive results ("clear evidence" and "some evidence"); one category for uncertain findings ("equivocal evidence"); one category for no observable effects ("no evidence"); and one category for experiments that because of major flaws cannot be evaluated ("inadequate study").

Under the conditions of these 2-year gavage studies, there was clear evidence of carcinogenic activity¹ of ochratoxin A for male F344/N rats as shown by substantially increased incidences of uncommon tubular cell adenomas and of tubular cell carcinomas of the kidney. There was clear evidence of carcinogenic activity for female F344/N rats as shown by increased incidences of uncommon tubular cell adenomas and of tubular cell carcinomas of the kidney and by increased incidences and multiplicity of fibroadenomas of the mammary gland.

Ochratoxin A administration also caused nonneoplastic renal changes including tubular cell hyperplasia, tubular cell proliferation, cytoplasmic alteration, karyomegaly, and degeneration of the renal tubular epithelium.

The study scientist for these studies is Dr. Gary A. Boorman. Questions or comments about the conduct of these studies should be directed to Dr. Boorman at P. O. Box 12233, Research Triangle Park, NC 27709 or telephone (919) 541-3440.

Copies of Toxicology and Carcinogenesis Studies of Ochratoxin A in F344/N Rats (Gavage Studies) (TR 358) are available without charge from the NTP Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: May 23, 1990.

David P. Rall,

Director.

[FR Doc. 90-12501 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Toxicology Program; Availability of Technical Report on Toxicology and Carcinogenesis Studies of Pentaerythritol Tetranitrate

The HHS' National Toxicology Program announces the availability of the NTP Technical Report on toxicology and carcinogenesis studies of pentaerythritol tetranitrate (PETN, NF), a drug used in the treatment of angina pectoris. PETN without a lactose stabilizer is used as an explosive.

Toxicology and carcinogenesis studies were conducted by feeding diets containing 0, 25,000 or 50,000 ppm PETN,

¹ The NTP uses five categories of evidence of carcinogenic activity to summarize the strength of the evidence observed in each experiment: Two categories for positive results ("clear evidence" and "some evidence"); one category for uncertain findings ("equivocal evidence"); one category for no observable effects ("no evidence"); and one category for experiments that because of major flaws cannot be evaluated ("inadequate study").

NF, to groups of 50 male rats and groups of 50 mice of each sex for 103 weeks. Diets containing 0, 6,200 or 12,500 ppm PETN, NF, were fed to groups of 50 female rats on the same schedule.

Under the conditions of these 2-year feed studies, there was equivocal evidence of carcinogenic activity* of PETN, NF, for male and female F344/N rats, based on a marginal increase in neoplasms of the Zymbal gland. There was not evidence of carcinogenic activity of PETN, NF, for male or female B6C3F1 mice fed diets containing 25,000 or 50,000 ppm for 2 years.

The study scientist for these studies is Dr. John R. Bucher. Questions or comments about this Technical Report should be directed to Dr. Bucher at P.O. Box 12233, Research Triangle Park, NC 27709 or telephone (919) 541-4532.

Copies of Toxicology and Carcinogenesis Studies of Pentaerythritol Tetranitrate with 80% D-Lactose Monohydrate (PETN, NF) in F344/N Rats and B6C3F1 Mice (Feed Studies) are available without charge from the NTP Public Information Office MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: May 25, 1990.

David P. Rall,

Director.

[FR Doc. 90-12502 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Toxicology Program; Availability of Technical Report on Toxicology and Carcinogenesis Studies of Rhodamine 6G

The HHS' National Toxicology Program announces the availability of the NTP Technical Report on toxicology and carcinogenesis studies of rhodamine 6G, used as a dye for silk, cotton, wool, bast fibers, paper, leather and plastics; a component of C. I. Solvent Red 36; a tracing agent in water pollution studies; and an adsorption indicator, especially in very acid solutions.

Toxicology and carcinogenesis studies were conducted by administering rhodamine 6G in feed to groups of 50 rats of each sex at doses of 0, 120, or 250 ppm for 103 weeks. Groups of 50 male mice received diets containing 0, 1,000 or 2,000 ppm rhodamine 6G and groups of

50 female mice received diets containing 0, 500, or 1,000 ppm.

Under the conditions of these 2-year feed studies, there was equivocal evidence of carcinogenic activity* for male F344/N rats administered rhodamine 6G, as indicated by a marginally increased incidence of integumentary keratoacanthomas. There was equivocal evidence of carcinogenic activity in female F344/N rats administered rhodamine 6G, as indicated by a marginal increase in pheochromocytomas or malignant pheochromocytomas (combined) of the adrenal gland. There was no evidence of carcinogenic activity for male B6C3F1 mice administered 1,000 or 2,000 ppm rhodamine 6G in diet. There was no evidence of carcinogenic activity for female B6C3F1 mice administered 500 or 1,000 ppm rhodamine 6G in the diet.

The study scientist for these studies is Dr. John Edgar French. Questions or comments about this Technical Report should be directed to Dr. French at P.O. Box 12233, Research Triangle Park, NC 27709 or telephone (919) 541-7790.

Copies of Toxicology and Carcinogenesis Studies of Rhodamine 6G (C. I. Basic Red 1) in F344/N Rats and B6C3F1 (Feed Studies) (TR 364) are available without charge from the NTP Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: May 25, 1990.

David P. Rall,

Director.

[FR Doc. 90-12503 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

National Toxicology Program; Availability of Technical Report on Toxicology and Carcinogenesis Studies of Tetracycline Hydrochloride

The HHS' National Toxicology Program announces the availability of the NTP Technical Report on toxicology and carcinogenesis studies of tetracycline hydrochloride, a broad-spectrum antibiotic used for its bactericidal action in human and veterinary medicine.

Toxicology and carcinogenesis studies of tetracycline hydrochloride were conducted by feeding diets containing 0, 12,500, or 25,000 ppm tetracycline

hydrochloride to groups of 50 F344/N rats and 50 B6C3F1 mice of each sex for 103 weeks.

Under the conditions of these 2-year feed studies, there was no evidence of carcinogenic activity* of tetracycline hydrochloride for male or female F344/N rats and B6C3F1 mice fed diets containing 12,500 or 25,000 ppm. Tetracycline hydrochloride-dosed female rats and male mice had greater survival rates than the respective controls during these studies.

The study scientist for these studies is Dr. Dennis Dietz. Questions or comments about the conduct of this Technical Report should be directed to Dr. Dietz at P.O. Box 12233, Research Triangle Park, NC 27709 or telephone (919) 541-2272.

Copies of Toxicology and Carcinogenesis Studies of Tetracycline Hydrochloride in F344/N Rats and B6C3F1 Mice (Feed Studies) (TR 344) are available without charge from the NTP Public Information Office, MD B2-04, P.O. Box 12233, Research Triangle Park, NC 27709.

Dated: May 24, 1990.

David P. Rall,

Director.

[FR Doc. 90-12504 Filed 5-30-90; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT-940-00-4121-14; (UTU-64375); (UTU-66060)]

Coal Lease Offering by Sealed Bid

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of competitive coal lease sale.

SUMMARY: Notice is hereby given that certain coal resources in lands hereinafter described in Carbon and Emery Counties, Utah, will be offered for competitive lease by sealed bid of \$100.00 per acre or more to the qualified bidder submitting the highest bonus bid in accordance with the provisions of the Mineral Leasing Act of 1920, as amended (41 Stat. 437). However, no bid will be accepted for less than fair

* The NTP uses five categories of evidence of carcinogenic activity to summarize the strength of the evidence observed in each experiment: Two categories for positive results ("clear evidence" and "some evidence"); one category for uncertain findings ("equivocal evidence"); one category for no observable effects ("no evidence"); and one category for experiments that because of major flaws cannot be evaluated ("inadequate study").

*The NTP uses five categories of evidence of carcinogenic activity to summarize the strength of the evidence observed in each experiment: Two categories for positive results ("clear evidence" and "some evidence"); one category for uncertain findings ("equivocal evidence"); one category for no observable effects ("no evidence"); and one category for experiments that because of major flaws cannot be evaluated ("inadequate study").

*The NTP uses five categories of evidence of carcinogenic activity to summarize the strength of the evidence observed in each experiment: Two categories for positive results ("clear evidence" and "some evidence"); one category for uncertain findings ("equivocal evidence"); one category for no observable effects ("no evidence"); and one category for experiments that because of major flaws cannot be evaluated ("inadequate study").

market value as determined by the authorized officer.

DATES: The lease sale will be held at 1 p.m., Thursday, June 28, 1990. Sealed bids must be submitted on or before 12 (noon), Thursday, June 28, 1990.

ADDRESSES: The lease sale will be held in the Fourth Floor Conference Room of the Bureau of Land Management, 324 South State Street, Salt Lake City, Utah. Sealed bids must be submitted to the Cashier at the above address or mailed to P.O. Box 45155, Salt Lake City, Utah 84145-0155.

SUPPLEMENTARY INFORMATION:

Coal Tracts To Be Offered

Trail Mountain Tract (UTU-64375)

The coal resource to be offered consists of all recoverable coal in the following described lands located in Emery County, Utah, approximately ten miles northwest of Orangeville, Utah:

- T. 17 S., R. 6 E., SLM, Utah
 Sec. 26, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 34, all;
 Sec. 35, lots 3 and 4, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 18 S., R. 6 E., SLM, Utah
 Sec. 1, lots 1-8, S $\frac{1}{2}$ N $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
 SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, lots 1-8, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
 N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 3, lots 1, 2, and 8, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 18 S., R. 7 E., SLM, Utah
 Sec. 6, lots 4-7, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ S
 W $\frac{1}{4}$.

Containing 2,630.81 acres more or less.

One economically minable coal bed, the Hiawatha seam, is found in this tract. The Hiawatha seam averages 10.8 feet in thickness. This tract contains an estimated 12.2 million tons of recoverable high volatile B bituminous coal. The average coal quality in the seam on an as received basis is as follows:

BTU/lb.....	12,539
Percent Moisture.....	4.66
Percent Sulphur.....	.56
Percent Ash.....	8.77
Percent Fixed Carbon.....	44.71
Percent Volatile Matter.....	41.30

Centennial Tract (UTU-66060)

The coal resource to be offered consists of all recoverable coal in the following described lands located in Carbon County, Utah, approximately 9 miles northeast of Price, Utah:

- T. 13 S., R. 10 E., SLM, Utah
 Sec. 1, lots 1-8, S $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 12, lot 1.
 T. 12 S., R. 11 E., SLM, Utah
 Sec. 31, lots 3-6, and 13-22.

Containing 933.32 acres more or less.

Two economically minable beds, the Aberdeen and the Centennial, are found in this tract. The Aberdeen seam averages 10.1 feet in thickness and the Centennial seam averages 6.6 feet in thickness. This tract contains an estimated 8.0 million tons of recoverable high volatile B bituminous coal. The average coal quality in the seams on an as received basis is as follows:

	Centennial bed	Aberdeen bed
BTU/lb.....	12,343	12,956
Percent Moisture.....	5.83	4.21
Percent Sulphur.....	.54	.57
Percent Ash.....	7.01	5.91
Percent Fixed Carbon.....	47.90	49.40
Percent Volatile Matter.....	39.27	40.48

Rental and Royalty. A lease issued as a result of this offering will provide for payment of an annual rental of \$3.00 per acre, or fraction thereof, and a royalty payable to the United States of 12.5 percent of the value of the coal mined by surface methods, and 8 percent of the value of coal mined by underground methods. The value of coal shall be determined in accordance with 30 CFR 203.200.

Notice of Availability. Bidding instructions are included in the Detailed Statement of Lease Sale. A copy of the detailed statement and of the proposed coal leases are available by mail from the Bureau of Land Management, Utah State Office, P.O. Box 45155, Salt Lake City, Utah 84155-0155, or in the Public Room (room 400), 324 South State Street. All case file documents and written comments submitted by the public on fair market value or royalty rates, except those portions identified as proprietary by the commentator and meeting exemptions stated in the Freedom of Information Act, are available for public inspection in the Public Room (room 400) of the Bureau of Land Management.

Ted D. Stephenson,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 90-12563 Filed 5-30-90; 8:45 am]

BILLING CODE 4310-DQ-M

Management of the Raven in the California Desert Conservation Area Draft Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy

Act of 1969, the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (DEIS) addressing the management of the common raven (*Corvus corax*) in the California Desert Conservation Area (CDCA). Principal emphasis for raven management is to control excessive predation on the Federally listed endangered desert tortoise (*Xerobates agassizii*).

DATES: Comments on the DEIS are being accepted until August 1, 1990.

ADDRESSES: For further information contact: Bureau of Land Management, California Desert District Office, 1695 Spruce Street, Riverside, California 92507 (Attn: Raven DEIS).

Date: May 24, 1990.

Gerald E. Hillier,
 District Manager.

[FR Doc. 90-12600 Filed 5-30-90; 8:45 am]

BILLING CODE 4310-40-M

[MT-070-68-4332-09; FES 90-13]

Availability of the Final Environmental Impact Statement (EIS) for the Centennial Mountains Instant Study Area; Montana, Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The final Centennial Mountains Instant Study Area Wilderness EIS assesses the environmental consequences of managing this Instant Study Area as wilderness or nonwilderness. Eight alternatives are assessed in the EIS. They include the proposed action, an all wilderness alternative, a no wilderness alternative and five partial wilderness alternatives. A total of 28,688 acres is recommended for wilderness and 64,127 acres are not recommended for wilderness under the Proposed Action.

The wilderness proposal for the Centennial Mountains will ultimately be forwarded by the Secretary of the Interior to the President, and by the President to Congress. The final decision on wilderness designation rests with Congress.

SUPPLEMENTARY INFORMATION: Copies of the EIS may be obtained from the Butte District Manager, Bureau of Land Management, P.O. Box 3388, Butte, Montana 59072; the Forest Supervisor, Targhee National Forest, St. Anthony, Idaho 83445; and the Forest Supervisor, Beaverhead National Forest, Dillon, Montana 59725.

Copies are also available for inspection at the Butte Silver Bow Public

Library, Butte, Montana 59701; the City of Dillon Library, Dillon, Montana 59725; the Thompson-Hickman Library, Virginia City, Montana 59755; the Maureen and Mike Mansfield Library, University of Montana, Missoula, Montana 59812; the Roland R. Renne Library, Montana State University, Bozeman, Montana 59717; the State Library, 1515 East Sixth Avenue, Helena, Montana 59620; the Idaho Falls Public Library, Idaho Falls, Idaho 83401; the St. Anthony Public Library, St. Anthony, Idaho 83445; the Ashton City Public Library, Ashton, Idaho 83420; the Madison Library District, Rexburg, Idaho 83440; the Valley of the Tetons Library, Victor, Idaho 83455; the David O. McKay Library, Ricks College, Rexburg, Idaho 83440; the Rigby City Library, Rigby, Idaho 83442; the Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240; and the Montana State Office, Bureau of Land Management, 222 North 32nd Street, P.O. Box 36800, Billings, Montana 59107.

FOR FURTHER INFORMATION CONTACT: Darrell McDaniel, Project Manager, BLM Butte District Office, Butte, Montana 59072, 406-494-5059; Bob Williams, Targhee National Forest, St. Anthony, Idaho 83445, 208-824-3151; or the Beaverhead National Forest, Dillon, Montana 59725, 406-683-3900.

Dated: May 18, 1990.

Jonathan P. Deason,
Director, Office of Environmental Affairs.
[FR Doc. 90-12550 Filed 5-30-90; 8:45 am]
BILLING CODE 4310-DN-M

[MT-060-00-4322-08]

Lewistown District Office; Multiple Use Advisory Board Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: District Multiple Use Advisory Board meeting.

SUMMARY: The Lewistown District Multiple Use Advisory Board will meet on June 25, 1990, at 10 a.m., in the Park Inn, 211 East Main, Lewistown, Montana. The agenda topics discussed at this meeting will include the:

1. West Hiline Record of Decision
2. Missouri River Management Plan Update
3. Missouri River Withdrawal Review
4. Results From the Blackleaf EIS Open Houses
5. Environmental Assessment of Zortman Mining's Application
6. Judith, Valley, Phillips RMP
7. Sikes Act Developments On BLM Lands
8. Summer Contracts Let By The Operations Division
9. National Guard Proposal

The meeting will be open to the public and interested persons may make oral statements to the board at the conclusion of the meeting or may file written comments for the board's consideration. Anyone wishing to make oral statements must notify the District Manager, Bureau of Land Management, Airport Road, Lewistown, Montana 59457.

Dated: May 16, 1990.

Wayne Zinne,
District Manager.

[FR Doc. 90-12572 Filed 5-30-90; 8:45 am]
BILLING CODE 4310-DN-M

[OR 44812; OR-080-00-4212-13; GPO-241]

Proposed Exchange; Oregon

May 21, 1990.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action.

This exchange will be between the United States (Bureau of Land Management) and Cavenham Forest Industries Inc. (CFI), a Delaware corporation.

The following described public lands (Public Domain status) have been determined to be suitable for transfer out of Federal ownership by exchange under section 206 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.):

Willamette Meridian, Oregon,

- T. 5 S., R. 4 E.,
Sec. 34, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
T. 6 S., R. 3 E.,
Sec. 32, Lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 34, SE $\frac{1}{4}$;
T. 7 S., R. 4 E.,
Sec. 6, Lots 3, 6, and 7;
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The parcels described above contain 957.75 acres in Clackamas County.

In exchange for these lands, the United States will acquire the following described private lands from CFI:

Willamette Meridian, Oregon,

- T. 6 S., R. 2 E.,
Sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 36, NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
T. 6 S., R. 3 E.,
Sec. 7, Lots 1-4, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ and a portion of W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, Lots 2-4, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 30, Lots 1-4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 31, Lots 1-4, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 32, W $\frac{1}{2}$ W $\frac{1}{2}$;
T. 7 S., R. 3 E.,
Sec. 1, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 6, Lots 2, 4, 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$;

- Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 11, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and a portion of N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 16, all, except 10-acre parcel described by metes and bounds;
Sec. 17, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
T. 7 S., R. 4 E.,
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, Lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The parcels described above contain 6,192.02 acres in Clackamas County.

The purpose of the exchange is to facilitate resource management opportunities as identified in the Salem District's Eastside Management Framework Plan. The public lands selected are suitable for multiple use management; however, the private lands offered have higher recreation, scenic, wildlife, and fisheries values than do the public lands. The public interest will be highly served by making this exchange.

The value of the lands to be exchanged is approximately equal or the acreage will be adjusted to equalize the values upon completion of the final appraisal of the lands. Full equalization of values will be achieved by payment to the United States of funds in an amount not to exceed 25 percent of the value of the public land to be transferred. All mineral rights will be transferred with the surface estate.

The patent to the selected lands will be subject to:

1. The reservation to the United States of a right-of-way for ditches or canals. Act of August 30, 1890 (43 U.S.C. 945).
2. Valid existing rights.

Publication of this notice in the **Federal Register** will segregate the public lands described above to the extent that they will not be subject to appropriation under the public land laws, including the mining laws, except for exchange under section 206 of the Federal Land Policy and Management Act. Any subsequently tendered application, allowance of which is discretionary, shall not be accepted, shall not be considered as filed, and shall be returned to the applicant (43 CFR 2201.1(b)). The segregative effect of this notice will terminate upon issuance of patent or in two years, whichever occurs first.

Detailed information concerning this exchange, including the environmental assessment/land report, is available for review at the Salem District Office, 1717 Fabry Road, SE, Salem, OR 97306.

For a period of 45 days from the date of publication of this notice in the

Federal Register, interested parties may submit comments to the Clackamas Area Manager at the above address. Any objections will be reviewed by the Salem District Manager who may sustain, vacate, or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

Richard A. Whitley,
Clackamas Area Manager.

[FR Doc. 90-12576 Filed 5-30-90; 8:45 am]

BILLING CODE 4310-DN-M

National Park Service

Cruise Ship Authorization Within Glacier Bay National Park Final Management Plan

AGENCY: National Park Service, Interior.

ACTION: Adoption of final management plan.

SUMMARY: Notice is hereby given that the National Park Service has adopted a Final Management Plan for cruise ship entries into Glacier Bay National Park after consideration of public comments on proposed alternatives. In summary, the plan is designed to increase opportunities for competitive allocation of cruise ship entries into Glacier Bay and to enhance visitor opportunities to select from a variety of possible cruises reflecting diverse prices, quality, itineraries, and program orientation. Under the plan, limited concession permits will be utilized to control cruise ship entry into Glacier Bay and transfer of such permits may be permitted by NPS subject to NPS policies and procedures for such transfers. However, a transfer of a permit to another permittee or entity controlling another entity will not be approved unless a minimum of seven separately owned or controlled operators are maintained. Operators will generally have a right of preference in renewal of their permits, but that right of preference will not extend to any additional entries an operator may be allocated hereafter (new operators will have a right of preference for the number of entries initially allocated). All new entries that may become available and any entries that are not subject to a right of preference in renewal will be awarded on a competitive basis through issuance of a prospectus. The prospectus, however, will contain selection criteria which will favor more rather than fewer cruise ship operators, i.e., new operators will have preference. This preference will also extend to existing operators which are allocated less than 14 percent

of the available entries so that they may obtain additional entries up to a 14 percent limit. At such time as at least seven concessioners (separate ownership and control) are in operation, the preference for new operators will be reconsidered.

As a result, at least five Glacier Bay entries will be available for competitive allocation for the 1991 season and an additional seven for the 1992 season. The plan will become effective upon publication hereof.

Dated: May 23, 1990.

James M. Ridenour,
Director, National Park Service.

[FR Doc. 90-12551 Filed 5-30-90; 8:45 am]

BILLING CODE 4310-70-M

INTERNATIONAL TRADE COMMISSION

Agency Form Submitted for OMB Review

AGENCY: United States International Trade Commission.

ACTION: In accordance with the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the Commission has submitted a proposal for the collection of information to the Office of Management and Budget for review.

PURPOSE OF INFORMATION COLLECTION: The proposed information collection is for use by the Commission in connection with investigation No. 332-291, Competitive Conditions Affecting the U.S. and European Tuna Industries in Domestic and Foreign Markets, instituted under the authority of section 332 of the Tariff Act of 1930 (19 U.S.C. 1332).

SUMMARY OF PROPOSAL:

- (1) Number of forms submitted: One
 - (2) Title of form: Conditions of Competition Affecting the U.S. and European Tuna Industries in Domestic and Foreign Markets—Questionnaire for Tuna Boat Owners
 - (3) Type of request: New
 - (4) Description of respondents: Firms or individuals that own tuna fishing boats
 - (5) Estimated reporting burden:
- | | |
|--|-----|
| Estimated average burden per response..... | 5 |
| Proposed frequency of response..... | 1 |
| Estimated number of respondents..... | 65 |
| Estimated total annual burden..... | 325 |

Information obtained from the form that qualifies as confidential business information will be so treated by the Commission and not disclosed in a

manner that would reveal the individual operations of a firm.

ADDITIONAL INFORMATION OR COMMENT:

Copies of the proposed form and supporting documents may be obtained from Roger L. Corey, Jr. (USITC, tel. no. 202-252-1327). Comments about the proposal should be directed to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503, Attention: Marshall Mills, Desk Officer for U.S. International Trade Commission. Any comments should be specific, indicating which part of the questionnaire or study plan is objectionable and describing the problem in detail. If you anticipate commenting on a form but find that time to prepare comments will prevent you from submitting them promptly you should advise OMB of your intent within two weeks of the date this notice appears in the Federal Register. Mr. Mill's telephone number is 202-395-7340. Copies of any comments should be provided to Charles Ervin (United States International Trade Commission, 500 E Street, SW, Washington, DC, 20436).

Hearing impaired individuals are advised that information on this matter can be obtained by contacting our TDD terminal on (202) 252-1810.

By order of the Commission.

Issued: May 21, 1990.

Kenneth R. Mason,

Secretary.

[FR Doc. 90-12591 Filed 5-30-90; 8:45 am]

BILLING CODE 7020-02-M

[Investigation 337-TA-306]

Certain Bath Accessories and Component Parts Thereof; Receipt of Initial Determination Terminating Respondents on the Basis of Consent Order Agreement

AGENCY: U.S. International Trade Commission.

ACTION: Notice is hereby given that the Commission has received an initial determination from the presiding officer in the above-captioned investigation terminating the following respondents on the basis of a consent order agreement: FrankSu Enterprises, Mr. Frank Su, Frank's Brassware, Garrett International, Inc. and Kemp & George.

SUPPLEMENTARY INFORMATION: This investigation is being conducted pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. §1337). Under the Commission's rules, the presiding officer's initial determination will become the determination of the

Commission thirty (30) days after the date of its service upon the parties, unless the Commission orders review of the initial determination. The initial determination in this matter was served upon the parties on May 24, 1990.

Copies of the initial determination, the consent order agreement, and all other nonconfidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-252-1000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-252-1810.

WRITTEN COMMENTS: Interested persons may file written comments with the Commission concerning termination of the aforementioned respondents. The original and 14 copies of all such documents must be filed with the Secretary to the Commission, 500 E Street, SW., Washington, DC 20436, no later than 10 days after publication of this notice in the *Federal Register*. Any person desiring to submit a document (or portions thereof) to the Commission in confidence must request confidential treatment. Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why confidential treatment should be granted. The Commission will either accept the submission in confidence or return it.

FOR FURTHER INFORMATION CONTACT: Ruby J. Dionne, Office of the Secretary, U.S. International Trade Commission, Telephone 202-252-1805.

By order of the Commission.

Issued: May 24, 1990.

Kenneth R. Mason,

Secretary.

[FR Doc. 90-12592 Filed 5-30-90; 8:45 am]

BILLING CODE 7020-02-M

**[Investigation No. 731-TA-457
(Preliminary)]**

**Heavy Forged Handtools From the
People's Republic of China**

Determination

On the basis of the record¹ developed in the subject investigation, the Commission unanimously determines, pursuant to section 733(a) of the Tariff

Act of 1930 (19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from the People's Republic of China of heavy forged handtools, provided for in subheadings 8201.30.00, 8201.40.60, 8205.20.60, and 8205.59.30 of the Harmonized Tariff Schedule of the United States² (previously under items 648.53, 648.67, 651.23, and 651.25 of the former Tariff Schedules of the United States), that are alleged to be sold in the United States at less than fair value (LTFV).

Background

On April 4, 1990, a petition was filed with the Commission and the Department of Commerce by Woodings-Vero Tool Works, Inc., Verona, PA, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of heavy forged handtools from the People's Republic of China. Accordingly, effective April 4, 1990, the Commission instituted preliminary antidumping investigation No. 731-TA-457 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of April 11, 1990 (55 FR 13673). The conference was held in Washington, DC, on April 25, 1990, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its

² For purposes of this investigation, heavy forged handtools consist of (1) hammers and sledges with heads over 1.5 kg (3.25 pounds) each (hammers and sledges); (2) bars over 18 inches in length, track tools and wedges (bars and wedges); (3) picks and mattocks; and (4) axes, adzes and similar hewing tools (axes and adzes).

Heavy forged handtools include heads for drilling hammers, sledges, axes, mauls, picks and mattocks, which may or may not be painted, which may or may not be finished, or which may or may not be imported with handles; assorted bar products and track tools including wrecking bars, digging bars and tampers; and steel woodsplitting wedges. Heavy forged handtools are manufactured through a hot forge operation in which steel is sheared to required length, heated to forging temperature and formed to final shape on forging equipment using dies specific to the desired product shape and size. Depending on the product, finishing operations may include shot blasting, grinding, polishing and painting, and the insertion of handles for handled products. Heavy forged handtools are currently provided for under the following HTS subheadings: 8205.20.60, 8205.59.30, 8201.30.00, and 8201.40.60.

This investigation does not include hammers and sledges with heads 1.5 kg (3.25 pounds) in weight and under, hoes and rakes, or bars 18 inches in length and under.

determination in this investigation to the Secretary of Commerce on May 21, 1990. The views of the Commission are contained in USITC Publication 2284 (May 1990), entitled "Heavy Forged Handtools From the People's Republic of China: Determination of the Commission in Investigation No. 731-TA-457 (Preliminary) Under the Tariff Act of 1930, Together With the Information Obtained in the Investigation."

By order of the Commission.

Issued: May 22, 1990.

Kenneth R. Mason,

Secretary.

[FR Doc. 90-12593 Filed 5-30-90; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 337-TA-308]

**Certain Key Blanks for Keys of High
Security Cylinder Locks; Receipt of
Initial Determination Terminating
Respondent on the Basis of Consent
Order Agreement**

AGENCY: U.S. International Trade Commission.

ACTION: Notice is hereby given that the Commission has received an initial determination from the presiding officer in the above-captioned investigation terminating the following respondent on the basis of a consent order agreement: Action Security Products, Inc.

SUPPLEMENTARY INFORMATION: This investigation is being conducted pursuant to section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337). Under the Commission's rules, the presiding officer's initial determination will become the determination of the Commission thirty (30) days after the date of its service upon the parties, unless the Commission orders review of the initial determination. The initial determination in this matter was served upon the parties on May 24, 1990.

Copies of the initial determination, the consent order agreement, and all other nonconfidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) i.e., the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-252-1000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-252-1810.

WRITTEN COMMENTS: Interested persons may file written comments with the Commission concerning termination of the aforementioned respondent. The

¹ The record is defined in § 207.2(h) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(h)).

original and 14 copies of all such comments must be filed with the Secretary to the Commission, 500 E Street, SW., Washington, DC 20436, no later than 10 days after publication of this notice in the Federal Register. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment. Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why confidential treatment should be granted. The Commission will either accept the submission in confidence or return it.

FOR FURTHER INFORMATION CONTACT: Ruby J. Dionne, Office of the Secretary, U.S. International Trade Commission, Telephone 202-252-1805.

By order of the Commission.

Issued: May 24, 1990.

Kenneth R. Mason,
Secretary.

[FR Doc. 90-12594 Filed 5-30-90; 8:45 am]

BILLING CODE 7020-02-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 31669]

Exemption; the Atchison, Topeka and Santa Fe Railway Co.—Trackage Rights Exemption—Grainbelt Corp.

The Grainbelt Corporation (Grainbelt), has agreed to continue granting overhead trackage rights to the Atchison, Topeka and Santa Fe Railway Company (Santa Fe) over Grainbelt's line of railroad between milepost 386 + 0159, near Foley, and milepost 398 + 4047.1, near Ewing, in Custer County, OK, a distance of 12.735 miles.

Santa Fe (As successor to Kansas City, Mexico and Orient Railway Company) has been exercising trackage rights over the line under an agreement with Burlington Northern Railroad Company (BN) dated August 13, 1906, and it has continued to exercise those rights after BN assigned the agreement to Grainbelt on January 21, 1988. On January 25, 1990, Santa Fe and Grainbelt signed a revised trackage rights agreement.

This notice is filed under 49 CFR 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: Dennis Wilson, The Atchison, Topeka and

Santa Fe Railway Company, 80 East Jackson Boulevard, Chicago, IL 60604.

As a condition to the use of this exemption, any employees affected by the trackage rights will be protected pursuant to *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Dated: May 22, 1990.

By the Commission, Jane F. Mackall,
Director, Office of Proceedings.

Noreta R. McGee,
Secretary.

[FR Doc. 90-12587 Filed 5-30-90; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-6 (Sub-No. 314)]

Burlington Northern Railroad Co.; Abandonment in Norman and Clay Counties, MN; Findings

The Commission has found that the public convenience and necessity permit Burlington Northern Railroad Company to abandon its 12.72-mile line of railroad between Felton (milepost 34.00) and Ada (milepost 46.70), in Norman and Clay Counties, MN.

A certificate will be issued authorizing abandonment unless within 15 days after this publication the Commission also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and served on the applicant no later than June 11, 1990. The following notation must be typed in bold face on the lower left-hand corner of the envelope containing the offer: "Rail Section, AB/OFA." Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Decided: May 23, 1990.

By the Commission, Chairman Philbin, Vice Chairman Phillips, Commissioners Simmons, Lamboley, and Emmett. Commissioner Emmett did not participate in the disposition of this proceeding.

Noreta R. McGee,

Secretary.

[FR Doc. 90-12590 Filed 5-30-90; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on May 1, 1990, a proposed Consent Decree in *United States v. Beazer Materials and Services, Inc. as successor in interest to Koppers Company, Inc.*, Civil Action No. Civ-S-90-0586 RAR was lodged with the United States District Court for the Eastern District of California. The proposed Consent Decree settles the United States claims for recovery of response costs incurred through March 31, 1988, and for enforcement of a Consent Order associated with the Remedial Investigation and Feasibility Study ("RI/FS") at the Koppers Company Site located in Oroville, California. Under the terms of the Consent Decree, Beazer Materials and Services, Inc., as successor in interest to Koppers Company, Inc. will pay the United States \$1,152,000 in past response costs and stipulated penalties under the Consent Order.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments related to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Beazer Materials and Services, Inc. as successor in interest to Koppers Company, Inc.*, D.J. No. 90-11-3-421.

The proposed Consent Decree may be examined at the office of the United States Attorney, Eastern District of California, 3305 Federal Building, 650 Capitol Mall, Sacramento, California 95814, and at the Region 9 office of the Environmental Protection Agency, 215 Fremont Street, San Francisco, California 94105. A copy of the proposed Consent Decree may be obtained by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, room 1517, Ninth and Pennsylvania Ave., NW., Washington, DC 20530. In requesting a copy, please enclose a check in the amount of \$3.70 (10 cents per page reproduction cost)

payable to the Treasurer of the United States.

Richard B. Stewart,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 90-12615 Filed 5-30-90; 8:45 am]

BILLING CODE 4410-01-M

Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on May 21, 1990 a proposed Consent Decree in *United States and City of Philadelphia, Department of Health, Air Management Services v. Melvin Gershon, et al.* (E.D. Pa.), Civil Action No. 89-6128, was lodged with the United States District Court for the Eastern District of Pennsylvania. The Consent Decree concerns violations of the Asbestos National Emission Standards for Hazardous Air Pollutants ("NESHAP"), 40 CFR part 61.140, *et seq.*, and the Clean Air Act, 42 U.S.C. 7401, *et seq.* ("the Act"). The proposed Consent Decree requires Defendants Melvin Gershon, Robert Gershon, and Arthur Leeds trading as Marine Associates, a New York general partnership, and Melvin Gershon, Robert Gershon, Arthur Leeds, and Susan Leeds trading as Gershon/Leeds, a New York general partnership (collectively, "Defendants"), (1) To pay a civil penalty of \$65,000.00; (2) to comply with the asbestos NESHAP and the Act in the future; (3) to engage only asbestos removal contractors who certify that they are familiar with the asbestos NESHAP and that they have completed training at an EPA-approved asbestos course; (4) to conduct inspections and perform sampling to determine whether asbestos is present at all future demolition or renovation projects and maintain the records of such inspections and testing; and (5) to designate an individual with respect to any property owned or managed by any of Defendants to be "Asbestos Program Manager." The Asbestos Program Manager must have completed an EPA-approved course for asbestos abatement supervisors and is responsible for ensuring compliance with the asbestos NESHAP and the consent decree.

The Department of Justice will receive comments relating to the proposed Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Melvin*

Gershon, et al. (Marine Associates), D.J. No. 90-5-2-1-1365.

The proposed Consent Decree may be examined at the office of the United States Attorney for the Eastern District of Pennsylvania, 615 Chestnut Street, suite 1300, Philadelphia, Pennsylvania 19106 and the U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. The Decree may also be examined at the Environmental Enforcement Section, Environment and Natural Resources Division of the Department of Justice, room 1515, Ninth Street and Pennsylvania Avenue, NW., Washington, DC 20530. A copy of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section, Environment and Natural Resources Division of the Department of Justice. In requesting a copy, please enclose a check in the amount of \$2.10 (10 cents per page reproduction cost) payable to the Treasurer of the United States.

Richard B. Stewart,

Assistant Attorney General, Environment and Natural Resources Division.

[FR Doc. 90-12616 Filed 5-30-90; 8:45 am]

BILLING CODE 4410-01-M

Lodging of Consent Decree Pursuant to CERCLA

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on April 25, 1990, a proposed Consent Decree in *United States v. The Providence Journal Company, Ken-L-Ray, Inc. and Richard Cook*, Case No. 88-0274, was submitted for lodging with the Federal District Court for the District of Rhode Island. The United States filed this action to recover costs incurred by the U.S. Environmental Protection Agency for the removal of hazardous substances from the Cook's Landfill site ("the site") in Providence, Rhode Island. Pursuant to Section 107 of the Comprehensive, Environmental Response, Compensation and Liability Act ("CERCLA"), the Complaint named as defendants The Providence Journal Company, who allegedly generated hazardous substances, and Ken-L-Ray, Inc. and Richard Cook, who allegedly selected the Cook's Landfill site for disposal and then transported The Providence Journal Company wastes to that site.

Under the proposed Consent Decree, The Providence Journal Company will pay \$374,750 in response costs and Ken-L-Ray, Inc. and Richard Cook will jointly pay \$20,000 in response costs. The Consent Decree does not release the

defendants from liability for future response actions at the site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *United States v. The Providence Journal Company, Ken-L-Ray, Inc. and Richard Cook*, Case No. 88-0274, DJ #90-11-3-332.

The proposed Consent Decree may be examined at any of the following offices: (1) The United States Attorney for the District of Rhode Island, Westminster Square Building, 10th floor, 10 Dorrance Street, Providence, Rhode Island; (2) the U.S. Environmental Protection Agency, Region I, J.F.K. Federal Building, Boston, Massachusetts; and (3) the Environmental Enforcement Section, Land & Natural Resources Division, U.S. Department of Justice, 10th & Pennsylvania Avenue, NW, Washington, DC. Copies of the proposed Decree may be obtained by mail from the Environmental Enforcement Section of the Department of Justice, Land and Natural Resources Division, P.O. Box 7611, Benjamin Franklin Station, Washington, DC 20044-7611, or in person at the U.S. Department of Justice Building, room 1647, 10th Street and Pennsylvania Avenue, NW, Washington, DC. Any request for a copy of the proposed Consent Decree should be accompanied by a check for copying costs totalling \$1.80 (\$0.10 per page) payable to "United States Treasurer."

George W. Van Cleve,

Acting Assistant Attorney General, Land & Natural Resources Division.

[FR Doc. 90-12617 Filed 5-30-90; 8:45 am]

BILLING CODE 4410-01-M

Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a consent decree in *United States v. Sumitomo Construction Co., Ltd.*, No. 90-00030, was lodged with the United States District Court for the District of Guam on May 22, 1990.

The proposed consent decree concerns alleged violations of sections 301 and 404 of the Clean Water Act, 33 U.S.C. 1311, 1344, as a result of discharges of fill material onto portions of property located in Yona, Guam, which are alleged to constitute "waters of the United States." The consent

decree requires Sumitomo Construction Co., Ltd., to pay a civil penalty of one million three hundred thousand (\$1,300,000), and to provide restoration and mitigation for certain wetlands located at the site. The consent decree allows Sumitomo Construction Co., Ltd., to apply for permit pursuant to section 404 of the Clean Water Act, 33 U.S.C. 1344, and complete portions of the development that were halted by a cease-and-desist order issued by the Army Corps of Engineers on November 22, 1989.

The Department of Justice will receive until thirty (30) days from the date of this notice written comments relating to the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Attention: Craig D. Galli, Attorney, Environmental Defense Section, Environment and Natural Resources Division, United States Department of Justice, 10th and Pennsylvania Ave. NW., Washington, DC, 20530; and should refer to *United States v. Sumitomo Construction Co., Ltd.*, DJ Reference No. 90-5-1-4-277.

The consent decree may be examined at the Clerk's Office, United States District Court, District of Guam, 6th Floor, Pacific News Building, 238 O'Hara Street, Agana, Guam, during regular business hours; or, upon request to Craig D. Galli, (202) 514-2285, at the United States Department of Justice, 10th & Pennsylvania Avenue NW., Washington, DC.

Richard B. Stewart,

Assistant Attorney General, Environmental and Natural Resources Division.

[FR Doc. 90-12618 Filed 5-30-90; 8:45 am]

BILLING CODE 4410-01-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Exhibit Visitor Survey; Proposed Information Collection Submission

AGENCY: National Archives and Records Administration.

ACTION: Notice of proposed information collection submitted to OMB for approval.

SUMMARY: The National Archives and Records Administration (NARA) is submitting a proposed collection of information to the Office of Management and Budget for approval under the Paperwork Reduction Act and 5 CFR part 1320. The information collection is a survey of visitors to the exhibits in the National Archives Building. The survey will provide NARA

with demographic information that will assist the agency in evaluating its exhibits and in designing future exhibits and public programs. The survey involves a one-time statistical sample of 546 visitors during the months of July and September. We estimate that each response will take approximately 6 minutes.

DATES: NARA invites the public to comment on the proposed information collection. Comments should be submitted by July 2, 1990.

ADDRESSES: Copies of the proposed information collection and supporting documentation can be obtained from the Policy and Program Analysis Division (NAA), room 409, National Archives Building, 7th and Pennsylvania Avenue, NW., Washington, DC. Telephone requests may be made to 202-501-5110.

Comments should be sent to Director, Policy and Program Analysis Division (NAA), National Archives and Records Administration, Washington, DC 20408. A copy of the comments should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for NARA, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: John Constance or Nancy Allard at 202-501-5110.

Dated: May 23, 1990.

Don W. Wilson,

Archivist of the United States.

[FR Doc. 90-12547 Filed 5-30-90; 8:45 am]

BILLING CODE 7515-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Astronomical Sciences' 10-Meter Telescope Subcommittee; Meeting

In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Advisory Committee for Astronomical Sciences' 10-Meter Telescope Subcommittee.

Date & Time: June 18 and 19, 1990; 9 a.m.-5 a.m.

Place: National Science Foundation, room 1242.

Type of Meeting: Closed.

Contact Person: Dr. G. Wayne van Citters, Jr., Program Director, Astronomical Instrumentation and Development, Division of Astronomical Sciences, room 615, National Science Foundation, Washington, DC 20550 (202/357-9488).

Purpose of Committee: To consider and make recommendations on a research proposal as part of the selection process for awards.

Agenda: Monday and Tuesday, June 18 and 19, 1990. Consider and make recommendations on a research proposal.

Reason for Closing: The proposal being reviewed includes information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposal. These matters are within Exemptions 4 and 6 of the Government in the Sunshine Act.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 90-12579 Filed 5-30-90; 8:45 am]

BILLING CODE 7555-01-M

Meetings: Interagency Arctic Research Policy Committee

The National Science Foundation announces the following meeting:

Name: Interagency Arctic Research Policy Committee, National Science Foundation.

Date and Time: Thursday, June 28, 1990, 9:30 a.m.-11:30 a.m.

Place: National Science Foundation, room 540, 18th and G Street, NW., Washington, DC.

Type of Meeting: Open. Part of the meeting (10:30-11:30 a.m.) will be closed to discuss budgetary matters.

Contact Persons: Jerry Brown or Charles E. Myers, Division of Polar Programs, room 627, National Science Foundation, Washington, DC 20550, Telephone: (202) 357-7817.

Purpose of Committee: The Interagency Arctic Research Policy Committee was established by Public Law 98-373, the Arctic Research and Policy Act, to survey arctic research, help set priorities for future arctic research, assist in the development of a national arctic research policy, prepare an integrated multiagency budget request for arctic research, develop a plan to implement national arctic research policy, and simplify cooperation in and coordination of arctic research.

Agenda:

1. Social Science Task Force Report Approval; The Social Science Task Force of the Interagency Arctic Research Policy Committee has prepared a draft statement of Principles for the Conduct of Research in the Arctic. The statement is an advance notice. It provides guidance

for all researchers working in the North. This statement addresses the need to promote mutual respect and cooperation between scientists and the people of northern regions. It is available from Polar Coordination and Information, room 627, National Science Foundation, Washington, DC 20550, telephone (202) 357-7817.

Comments on the draft statement will be considered if submitted by June 22, 1990.

2. Interagency Data Activity
3. Arctic Oceans Research Long Range Plan
4. International Activities
5. Arctic Research Commission Reports and Status

Public Participation: Committee meetings are not public hearings and will not normally receive verbal comments from observers unless specifically invited by the Committee. Observers invited to address the Committee will be limited to 5 minutes each. To address the Committee, submit a proposed statement. If the statement is relevant and appropriate to the agenda at that particular meeting, the Committee will invite you to present your statement. The texts of statements shall not exceed 5 double spaced typed pages each.

Charles E. Myers,

Division of Polar Programs.

[FR Doc. 90-12577 Filed 5-30-90; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

State of Utah: Discontinuance of Certain Regulatory Authority and Responsibility Within the State

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of amended agreement with the State of Utah.

SUMMARY: Notice is hereby given that the Honorable Kenneth M. Carr, Chairman of the U.S. Nuclear Regulatory Commission, and the Honorable Norman H. Bangerter, Governor of the State of Utah, signed an Amendment to the existing section 274b Agreement between NRC and the State of Utah pursuant to section 274 of the Atomic Energy Act of 1954, as amended. The amendment permits the State to regulate the land disposal of source, byproduct, and special nuclear materials received from other persons.

The proposed Amendment to the existing section 274b Agreement was published in the *Federal Register* for public comment for four consecutive

weeks beginning November 15, 1989 (54 FR 47617).

The Amendment is published in accordance with the requirements of Public Law 86-373. A copy of the consolidated version of the Agreement is available at the Office of Governmental and Public Affairs, State Programs.

FOR FURTHER INFORMATION CONTACT:

Vandy L. Miller, State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, 301-492-0326.

SUPPLEMENTARY INFORMATION:

Public Comments: Three written comments on the proposed amendment and NRC staff assessment were received prior to the end of the comment period on December 15, 1989. One comment was received from David G. Culberson, Manager, Technical Control, Babcock and Wilcox, Pennsylvania Nuclear Service Operations, Apollo, Pennsylvania. One comment was received from Donald A. Flater, Chief, Bureau of Radiological Health, Iowa Department of Public Health, Des Moines, Iowa. One comment was received from David C. Kremmer, Radiation Safety Officer, Rhone-Poulenc, Inc., Specialty Chemicals Group, Freeport, Texas. These comments supported the proposed amendment to the Agreement and were carefully considered by the Commission in its deliberations on the Utah request. The comments are available in the Commission's Public Document room at 2120 L Street, NW., Washington, DC.

Amendment to Agreement Between the United States Nuclear Regulatory Commission and the State of Utah for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State Pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

Whereas, the United States Nuclear Regulatory Commission (hereinafter referred to as the Commission) entered into an Agreement (hereinafter referred to as the Agreement of March 29, 1984) with the State of Utah under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act), which Agreement became effective on April 1, 1984, and provided for discontinuance of the regulatory authority of the Commission with the State under chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials as defined in section 11e.(1) of the Act, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Utah is authorized under Utah Code

Annotated 26-1-29 to enter into this amendment to the Agreement of March 29, 1984, between the Commission and the State of Utah; and

Whereas, the Governor of the State of Utah has requested this amendment in accordance with section 274 of the Act by certifying on July 17, 1989 that the State of Utah has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the land disposal within the State of source, byproduct and special nuclear material received from other persons and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on April 30, 1990 that the program of the State for the regulation of materials covered by this amendment is in accordance with the requirements of the Act and in all other respects compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that the State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, this amendment to the Agreement of March 29, 1984, is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended.

Now, Therefore, it is hereby agreed between the Commission and the Governor of the State, acting on behalf of the State, as follows:

Section 1. Article I of the Agreement of March 29, 1984, is amended by deleting "and" at the end of paragraph B., by adding "; and," after the words "critical mass" in paragraph C., and by inserting the following new paragraph immediately after paragraph C.:

D. The land disposal of source, byproduct and special nuclear material received from other persons.

Section 2. Article II of the Agreement of March 29, 1984, is amended by deleting paragraph E. and by redesignating paragraph F. as paragraph E.

This amendment shall become effective on May 9, 1990, and shall remain in effect unless and until such time as it is terminated pursuant to Article VIII of the Agreement of March 29, 1984.

Done at Salt Lake City, Utah, in triplicate, this 8th day of May, 1990.

For the United States Nuclear Regulatory Commission.

Kenneth M. Carr,
Chairman.

Norman H. Bangerter,
Governor.

Dated at Rockville, this 21st day of May, 1990.

For the United States Nuclear Regulatory Commission.

Carlton Kammerer,

Director State Program, Office of
Governmental and Public Affairs.

[FR Doc. 90-12614 Filed 5-30-90; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-397, License No. NPF-21,
EA 88-211]

Washington Public Power Supply System, Washington Nuclear Plant No. 2; Order Imposing Civil Monetary Penalty

I

Washington Public Power Supply System (Licensee) is the holder of Operating License No. NPF-21 issued by the Nuclear Regulatory Commission (NRC or Commission) on December 20, 1983. The license authorizes the Licensee to operate Washington Nuclear Plant No. 2 in accordance with the conditions specified therein.

II

An inspection of the Licensee's activities was conducted from April 28 to May 2, 1986, with followup reviews conducted October 6 to November 7, 1988 and July 10 to August 23, 1989. The results of this inspection and the followup reviews indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated January 24, 1990. The Notice states the nature of the violations, the provisions of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violations. The Licensee responded to the Notice by letter dated February 23, 1990. In its response, the Licensee acknowledged that certain documentation deficiencies existed, however, the Licensee disagreed with the NRC staff's evaluation of the violations and claimed that subsequent correspondence demonstrated that a majority of the equipment listed in the Notice could have been qualified as of the November 30, 1985 deadline for environmental qualification. Based on this, the Licensee claimed that the problem should be

categorized as no greater than a Category C and therefore no civil penalty should be imposed. In addition, the Licensee did not believe that any regulatory purpose was served by the Notice and urges the use of enforcement discretion and withdrawal of the civil penalty.

III

After consideration of the Licensee's response and the statements of fact, explanation, and argument for withdrawal of the civil penalty contained therein, the Deputy Executive Director for Nuclear Materials Safety, Safeguards, and Operations Support has determined, as set forth in the Appendix to this Order, that the violations occurred as stated and that penalty proposed for the violations designated in the Notice should be imposed.

IV

In view of the foregoing and pursuant to section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205, *It is hereby ordered that:*

The Licensee shall pay a civil penalty in the amount of \$50,000 within 30 days of the date of this Order, by check, draft, or money order, payable to the Treasurer of the United States and mailed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555.

V

The Licensee may request a hearing within 30 days of the date of this Order. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and shall be addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555. Copies also shall be sent to the Secretary, U.S. Nuclear Regulatory Commission and the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region V, 1450 Maria Lane, Walnut Creek, California 94596, and the NRC Resident Inspector at WNP-2.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order, the provisions of this Order shall be effective without further proceedings. If payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the Licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

(a) Whether the Licensee was in violation of the Commission's requirements as set forth in the Notice referenced in section II above, and

(b) Whether, on the basis of such violations this Order should be sustained.

Dated at Rockville, Maryland this 21st day of May 1990.

For the Nuclear Regulatory Commission.

Hugh L. Thompson, Jr.,

Deputy Executive Director for Nuclear
Materials Safety, Safeguards, and Operations
Support.

Appendix—Evaluations and Conclusions

On January 24, 1990, a Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was issued for violations identified during an NRC inspection. Washington Public Power Supply System (Supply System or licensee) responded to the Notice on February 23, 1990. The Supply System acknowledged that certain documentation deficiencies existed; however, it claimed that the deficiencies were minor and the majority of components were qualifiable. Based on this, the licensee contended that no civil penalty should be imposed. In addition, the licensee urged the NRC to exercise enforcement discretion and withdraw the proposed civil penalty. The NRC's evaluation and conclusions regarding the licensee's requests are as follows:

Restatement of Violation

10 CFR 50.49(f), (g), and (j) required each item of electric equipment important to safety to be qualified prior to November 30, 1985; required that a record of the qualification be maintained; and required one of the following methods of qualification to be used:

(1) Testing an identical item of equipment under identical conditions or under similar conditions with a supporting analysis to show that the equipment to be qualified is acceptable.

(2) Testing a similar item of equipment with a supporting analysis to show that the equipment to be qualified is acceptable.

(3) Experience with identical or similar equipment under similar conditions with a supporting analysis to show that the equipment to be qualified is acceptable.

(4) Analysis in combination with partial type test data that supports the analytical assumptions and conclusions.

Contrary to the above, as of November 30, 1985, the licensee did not have documentation of testing, analyses or experience adequate to demonstrate that 27 Limitorque motor operators and 9 containment cooling fan motors, electrical equipment important to safety, were environmentally qualified. Specifically, the licensee did not adequately demonstrate qualification for: (1) 27 Limitorque motor operators inside the containment and steam tunnel which were installed without T-drains and with taped splices applied to the motor leads, and (2) the 9 fan motors inside the containment with taped splices applied to the motor leads.

The above violations constitute an EQ Category B problem.

Civil Penalty—\$50,000 (This EQ problem existed in excess of 100 days of plant operation).

Summary of Licensee's Response

The licensee acknowledges that certain documentation deficiencies existed after the November 30, 1985, environmental qualification deadline. However, the licensee also claims that the majority of the components involved were "qualifiable" and therefore the Notice should be categorized at no greater than a Category C violation and that no civil penalty should be imposed. In addition, the licensee does not believe that any regulatory purpose has been served by the Notice and urges the exercise of enforcement discretion and withdrawal of the proposed civil penalty.

1. Qualification of Equipment Cited in the Notice

The licensee acknowledges that it did not have adequate documentation of testing, analyses, or experience to demonstrate qualification of the subject components as of November 30, 1985; however, the licensee contends that information has been provided to the NRC staff in subsequent correspondence which demonstrated the qualification of the majority of the equipment cited in the Notice. Specifically, it is the licensee's judgment that approximately 12 components had doubtful qualification status.

In regard to the specific deficiencies cited in the Notice, the licensee contends that information provided in a Limitorque letter of June 1, 1989, provided information that the Limitorque motor operators in containment could have been qualified without T-drains. The licensee also claims that previous discussions of qualification and correspondence dated September 17, 1986 and October 13, 1988 demonstrated the qualifiability of

Limitorque operators without T-drains installed.

The licensee contends that a letter of October 18, 1989 provided supplemental information regarding the tape splices that were likely installed, and established the qualifiability of those splices. Based on the recollection of those who were involved with the installation of the tape splices inside containment, the licensee contends that most if not all of the splices were constructed with Okonite tape, and that engineering judgment at the time was that these splices were qualified. The licensee claims that the steam tunnel is a milder environment than the containment. In addition, the licensee claims that Scotch brand tapes of various types were installed in the steam tunnel. The licensee claims that some of the likely combinations of tapes were qualifiable based on test results discussed in the October 18, 1989 letter. The licensee claims that testing performed after the 1986 inspection confirmed the qualification of tape splices similar to those used at WNP-2. In addition, the licensee claims that an NRC statement in NRC Inspection Report 50-397/89-23 appears to concur with the licensee's position that the as-found tape splices made of Okonite were qualifiable.

Based on the above arguments, the licensee does not agree with the NRC staff's statement in the letter transmitting the Notice "that the information that the Supply System is relying on was developed well after the EQ deadline and the end of the inspection and is provided to correct much more than a qualification deficiency."

The licensee contends that from the NRC inspection in 1986 to correspondence as late as November 1989, the NRC staff and licensee representatives have been discussing the qualifiability of the Limitorque configurations. The licensee contends that this represents a continuation of the inspection process. Consistent with the Modified EQ Enforcement Policy, the licensee claims that because qualification was demonstrated during the inspection period or shortly thereafter, the documentation deficiencies do not warrant escalated enforcement action.

2. Based on the Number of Components the Severity Category B is Unwarranted

The licensee claims that the majority of tape splice configurations and all motor operators that did not have T-drains installed were qualifiable. Therefore, these components should be considered for escalated enforcement

action. If only those components of doubtful qualification (claimed by the licensee to be approximately 12) were considered, consistent with other EQ cases, escalated enforcement action should be considered at no more than a Category C violation. If considered a Category C, the licensee claims full mitigation of the proposed civil penalty is warranted.

3. Enforcement Discretion

The licensee claims that it applied reasonable engineering judgment to conclude that as-found splice configurations were qualifiable and it was a reasonable decision to continue operation until the April 1986 refueling outage.

The licensee claims that the exercise of enforcement discretion in the general Enforcement Policy is appropriate in this case. The licensee cites three recent cases in which the NRC staff exercised enforcement discretion for violations that occurred in approximately the same time frame as those at issue and had enforcement action delayed for varying reasons. These cases are: Detroit Edison Company (EA 89-106), issued on February 12, 1990; Tennessee Valley Authority (EA 89-226), issued on February 1, 1990; and the Washington Public Power Supply System (EA 86-70), issued on February 1, 1990. The licensee claims that its EQ violations are less significant, from both a regulatory and safety perspective, than these other enforcement actions, while having other similar aspects. The similarities were: issuance of a significantly delayed Notice; industry notifications of potential problems were unclear; NRC regulations and guidance did not express that qualification determinations could not be based on reasonable documentation reviews; and the licensee took prompt and extensive corrective actions to prevent recurrence of the violations.

NRC Evaluation of Licensee's Response

1. NRC Evaluation of the Qualification of Equipment

A. Use of the terms Qualified and Qualifiable. Throughout its answer, without explicitly so stating, the licensee ascribes particular meaning to the terms "qualified" and "qualifiable." Specifically, the licensee appears to argue that a component was qualified or qualifiable, no matter how deficient the qualifications documentation available immediately following the November 30, 1985 deadline, if subsequent documentation, whether available prior to the deadline or not, could be provided

to show the component's suitability for its specified application. The NRC staff rejects this usage of these terms.

In order for the licensee to qualify an electrical component important to safety by November 30, 1985, the licensee had to have documentation to demonstrate the component's qualification and maintain that documentation in an auditable form. If, at the deadline, the licensee had any equipment for which such documentation was either unavailable or inadequate, a violation of 10 CFR 50.49 existed and that equipment was considered unqualified. Under the "Modified Enforcement Policy Relating to 10 CFR 50.49" (Modified Enforcement Policy) some of those violations are deemed of lesser significance if the licensee produces or develops data sufficient to document qualification during or shortly after the inspection. Alternatively, if an NRC inspector was aware of other existing information that demonstrates the component is acceptable for the specified use, the NRC staff may deem a violation to be of lesser significance. These exceptions were specifically placed in the Modified Enforcement Policy to allow the licensee to take advantage of information available prior to the deadline that was overlooked or initially not fully utilized. Therefore, as used by the NRC staff, "qualifiable" means that had that existing data been recorded or used in the licensee's files as of the deadline, there would have been sufficient information to document the component's qualification. The NRC staff must emphasize that the performance of additional testing or analysis after the deadline cannot be used to establish a component as qualified as of the EQ deadline.

As described in the following sections of this Appendix, the licensee did not properly document the qualification of the Limitorque or the containment fan motors prior to the deadline and did not during or shortly after the inspection establish, using information available prior to the deadline, that these components were acceptable for their specified use. In fact, it is the NRC staff's position that even using analysis and testing performed after the deadline, the licensee could not establish the acceptability of the components.

B. Limitorque Motor Operators Without T-drains. The NRC staff considered the discussions held and correspondence submitted which was claimed by the licensee to demonstrate qualification of the Limitorque motor operators without T-drains installed. The NRC staff is not aware of any qualification test report, with or without

supplementary analysis, which establishes qualification of motor operators with RH insulation without T-drains for in-containment or steam tunnel conditions. Limitorque Test Report 600198 documents testing done on motor operators without T-drains installed and with type H insulation. The licensee attempts to extend Limitorque Test Report 600198 by analysis; however, the NRC staff notes the following deficiencies:

(1) The difference between the installed motor operators using a type RH insulation and the tested operator using type H were not evaluated. It is stated that the motor manufacturer believes that type RH is generally superior to type H, but a specific evaluation of the two types of insulation as applied to the WNP-2 facility is necessary to demonstrate qualification. This evaluation was not provided. In addition, Limitorque's basis for its stated willingness to certify the applicability of Test Report 600198 to type RH insulated equipment is not given.

(2) The qualification of motor operators without T-drains is inconsistent with the Limitorque letter of July 10, 1984, which states:

"* * * Qualified Limitorque RH motors require installation of motor 'T' drains in the two lowest drain plug locations. The installation position of the valve/actuator assembly is not known at the time the actuator is shipped from Limitorque. Consequently, the motor 'T' drains are placed in the limit switch compartment with installation instructions at the time of actuator shipment * * *."

(3) The tested conditions in Limitorque Test Report 600198 terminated at 250 degrees F, which is below the peak temperature of the WNP-2 accident profile, and did not address the cooldown, condensation, and post-cooldown wetting that would exist in the plant. Thus, the test and supporting analysis did not adequately encompass the plant conditions at WNP-2.

Based on the above deficiencies, the NRC staff concludes that the qualification of Limitorque motor operators without T-drains has not been adequately demonstrated.

C. Tape Splices. Two types of tape splices are involved: Okonite tape splices claimed by the licensee to have been used in Limitorque motor operators and containment fan motors inside containment, and Scotch tape splices in Limitorque motor operators in the steam tunnel. These splices were installed by the licensee to connect plant cable.

Although details differed, both splice types share the same deficiencies in demonstrating qualification. In each case, the installation procedure allowed use of types of tape, including tape from other suppliers, other than the types the licensee states were "likely" used in the plant. The actual splice configurations were neither documented during installation nor when removed in 1986. Therefore, the documentation only contains the licensee's estimation of the likely configuration. Not knowing the actual configuration makes testing or analysis to show similarity impossible.

Even if the NRC staff accepts that the licensee could demonstrate the similarity of the installed splices to a certain type allowed by the installation procedure, qualification could not be established by reference to the Okonite test report relied on by the licensee. Most significantly, the specimens described in the test report contained significantly more tape than was required by the plant installation procedure used for the installed splices. Specifically, the tested Okonite splices had $\frac{3}{4}$ inches of insulating layers plus three half-lapped outer layers of tape, while the splicing procedure used at WNP-2 allowed as little as three half-lapped layers of tape, with an unspecified number of optional layers to form a smooth surface. The NRC staff acknowledges that the testing was done for a 5000 volt splice, whereas the plant application was at 480 volts; however, the minimum amount of tape to satisfy EQ requirements was neither determined nor analyzed by the licensee. While extrapolation from a higher to lower voltage may be appropriate for analyzing insulation characteristics, this extrapolation is not valid when evaluating EQ characteristics. For the Scotch tape splices, qualification testing by 3M was performed on splices with "numerous" insulating layers while those installed at WNP-2 could have been installed by a procedure that allowed a mere half-lap insulating layer. A certain amount of the tape used in any splice is solely to protect the splice from the effects of the harsh environment. Exactly what amount of tape is necessary to accomplish that function is dependent on the type of splice, the type of tape, and the environment to which the splice is exposed. Therefore, assuming like splices made of the same type of tape being used in the same environment, the amount of tape necessary for EQ consideration cannot be estimated for different voltage ranges by the same numerical extrapolation applied for insulating characteristics.

The licensee claims that tests done after the 1986 inspection confirm its engineering judgment that the tape splices were qualifiable. However, the NRC staff does not share that conclusion. Significant differences existed between the splices subsequently tested and the installed splices. For example, the splice tests done for Commonwealth Edison Company used an Okonite rubber cement under the splicing tape whereas the WNP-2 procedures did not call for any cement. The licensee has provided no discussion of the similarity of the other tested splices as compared to the splices installed at WNP-2, as was pointed out in the NRC staff's letter transmitting the Notice.

In its February 23, 1990 letter, the licensee asserts that a statement in NRC Inspection Report 50-397/89-23 constitutes an endorsement of the licensee's position. However, while there was a statement in the report that " * * * these data did support the licensee's view at that time, based upon engineering judgment, that the splices were qualified for 480 volt applications," this was merely a summary of the licensee's position, and not an NRC acceptance of the licensee position.

D. Inspection Period. For both the motor operators without T-drains installed and the tape splices, the NRC staff disagrees that the time period from April 1986, the time of the NRC inspection, to November 1989 should be considered as the inspection period. While discussions occurred between the NRC staff and the licensee from 1986 to 1989, these discussions were held to afford the licensee opportunities to bring out all available information regarding the EQ deficiencies that the NRC staff had identified to the licensee in 1986 as were potential violations of 10 CRF 50.49. These discussions were viewed as followup to the 1986 inspection. Consequently, the time period for consideration of qualification information is properly the 1986 inspection period (April 28-May 2) or shortly thereafter, not as late as November 1989 as the licensee claims. Notwithstanding which time period is considered, the licensee has not presented adequate information to demonstrate the qualification of the Limitorque motor operators and containment fan motors as they were installed.

In summary, as described in the previous discussion, the licensee has not demonstrated that the Limitorque motor operators and containment fan motors were suitable for their intended function, even when considering testing

done significantly after the NRC inspection in 1986. Consequently, the 27 Limitorque motor operators and 9 containment fan motor EQ deficiencies are considered to be significant violations of EQ requirements and escalated enforcement action is appropriate.

2. NRC Evaluation of EQ Category. As discussed in Paragraph 1 above, the NRC staff concludes that the tape splices and the motor operators that did not have T-drains installed were not demonstrated to be qualified. Therefore, consistent with previous EQ enforcement actions, the violations involving the 36 components cited in the Notice are properly evaluated as significant. Consequently, the classifications as an EQ Category B problem is appropriate.

3. NRC Evaluation of Enforcement Discretion. The licensee contends that it used reasonable engineering judgment to conclude that the tape splices were qualified and also to decide that continued operation until the April 1986 refueling outage was justified. The NRC staff disagrees that reasonable engineering judgment was used in that the procedure used to install the splices inappropriately extrapolated the results from previous EQ testing. The previous testing was for splices at a higher voltage with a larger number of wraps than specified by the installation procedure. The significant reduction in the amount of tape allowed by the procedure without an analysis of the impact on EQ effectiveness is considered by the NRC staff to be unreasonable. In addition, the NRC staff notes that licensee personnel did recommend the field verification of certain motor operator items, such as T-drains and internal splices, and although outages prior to the EQ deadline did occur, this recommendation was not implemented. Not even a sampling program was undertaken. Based on the above discussion and that concerning whether the licensee clearly should have known of the violations presented in the letter transmitting the Notice, the NRC staff maintains that the licensee's organization clearly should have known that the components in the Notice failed to meet EQ requirements as of the EQ deadline. The licensee in its February 23, 1990 letter did not challenge the NRC staff's conclusion on the "clearly should have known" issue.

While enforcement discretion has been exercised in those cases referenced in the licensee's letter of February 23, 1990, these cases did not involve EQ violations. The NRC staff, with Commission approval, established

a special enforcement policy for EQ violations which was intended to emphasize the potentially significant nature of EQ violations and to give particular emphasis to timely compliance with EQ requirements. Pursuant to the Modified EQ Enforcement Policy, the NRC staff has issued 23 Notices involving Category A, B, or C violations. Many of these cases have aspects similar to the WNP-2 case, including relatively old violations for which corrective actions had already been taken. The licensee has not provided a compelling reason for the NRC staff to treat this case differently from the other EQ cases.

Based on the above discussions, the NRC staff does not consider it appropriate to exercise enforcement discretion in this case.

NRC Conclusion

The NRC has concluded that: (1) The components listed in the Notice have not been demonstrated to be qualified or qualifiable; (2) the proper EQ category for the problem is a Category B, and (3) the exercise of enforcement discretion is not warranted in this case. Consequently, the proposed civil penalty in the amount of \$50,000 should be imposed.

[FR Doc. 90-12613 Filed 5-30-90; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Trade Policy Staff Committee; Public Comments on U.S. Negotiations with the Government of Bulgaria in the context of the Accession of Bulgaria to the General Agreement on Tariffs and Trade (GATT)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice and request for comments.

SUMMARY: Notice is hereby given that the Trade Policy Staff Committee (TPSC) is requesting written public comments on Bulgaria's announced intention to accede to the GATT and on the negotiations that will accompany this process. Comments received will be considered by the Executive Branch in developing the U.S. position and objectives for the GATT examination of Bulgarian accession and for the negotiations concerning the terms of its accession to the General Agreement.

DATES: Public comments are due by 12 noon, June 30, 1990.

ADDRESSES: Office of the U.S. Trade Representative, 600 17th Street, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Cecilia Leany Klein, Director for GATT Affairs (telephone: 202-395-3063), or Gordana Earp, Director, East-West Trade Policy, (telephone: 202-395-3074), Office of the U.S. Trade Representative, 600 17th Street, NW., Washington, DC 20506.

SUPPLEMENTARY INFORMATION:

1. Written Comments

The Chairman of the Trade Policy Staff Committee invites written public comments on the issues that will be addressed in the course of examination by the Contracting Parties to the GATT of the request by Bulgaria for accession and during negotiations in the context of Bulgarian accession to the GATT addressing the terms of its accession, including possible tariff concessions. The Committee is particularly interested in views on the possible impact on U.S. trade if Bulgaria accedes to the GATT, on specific bilateral issues covered by the provisions of the General Agreement that should be addressed in the accession negotiations, on tariff items of specific interest to U.S. exporters to Bulgaria, and on the experiences of U.S. firms in trading with Bulgaria.

All comments will be considered by the Executive Branch in developing the U.S. position and objectives for GATT examination of the request by the Government of Bulgaria for accession and for negotiations concerning the substantive terms of Bulgarian accession and the establishment of a GATT schedule of concessions, should Bulgaria's application be accepted.

Persons wishing to submit written comments should provide a statement, in twenty copies, by noon, Friday, June 30, 1990, to Carolyn Frank, TPSC Secretary, Office of the U.S. Trade Representative, room 517, 600 17th Street, NW., Washington, DC 20506. Non-confidential information received will be available for public inspection, by appointment, the USTR Reading Room, 600 17th Street, NW., room 101, Washington, DC, Monday through Friday, 10 a.m. to 12 noon and 1 p.m. to 4 p.m. For an appointment call Brenda Webb on 202-395-6186. Business confidential information will be subject to the requirements of 19 CFR 2003.6. Any business confidential material must be clearly marked as such, and must be accompanied by a non-confidential summary thereof.

2. Background

Bulgaria has submitted a request to the GATT Contracting Parties to accede to the General Agreement pursuant to Article XXXIII. A Working Party, composed of interested GATT members, has been established to examine this request, with terms of reference that direct the participating contracting parties to consider the compatibility of Bulgaria's foreign trade regime with the General Agreement with regard, inter alia, to the provisions concerning national treatment, non-discrimination, state trading, subsidies, and safeguards, and to submit to the GATT Council recommendations that may include a draft Protocol of Accession. The United States will be a major participant in these deliberations, and will cooperate with other GATT contracting parties engaged in the negotiations to consider possible terms for Bulgaria's accession to the General Agreement that would be contained in a Protocol.

The Protocol of Accession considered for Bulgaria's accession by participating Contracting Parties should set forth the agreed terms of Bulgaria's GATT membership, including the relationship of its foreign trade regime to the Articles of the General Agreement, and any provisions that the Contracting Parties believe are necessary to ensure an appropriate balance of rights and obligations is achieved. Aspects of a country's foreign trade regime that are normally examined in such negotiations include: national treatment of imports, licensing requirements, quantitative trade restrictions, subsidy practices, non-tariff charges and taxes, customs valuation and classification, and state trading practices and monopolies. In Bulgaria's case, the Contracting Parties will also examine the issue of the effect on their trade of non-market mechanisms remaining in Bulgaria's economy and trade regime.

In addition, as part of the accession process, Bulgaria will also conduct bilateral negotiations with interested GATT members to formulate a schedule of concessions that will become part of its Protocol of Accession. Such concessions normally consist of Bulgaria's agreement to bind the tariffs applied to certain imports, restricting its ability to increase the tariff rate applied to those items without offering appropriate compensatory tariff concessions on other items. The maximum rates of duty negotiated bilaterally will be applied to the trade of all GATT contracting parties after Bulgaria's accession to the GATT.

The advantages to Bulgaria of GATT membership are several. As a GATT

member, Bulgaria will enjoy a multilateral guarantee of unconditional most favored nation treatment from all other GATT contracting parties that is more comprehensive than that available through bilateral agreements. The bindings on tariffs maintained in the tariff schedules of other GATT contracting parties will be extended to Bulgarian imports as obligations under the GATT. Bulgaria will also have recourse to GATT procedures to protect itself from unfair or unreasonable trade actions by its trading partners. Through the dispute settlement provisions in the General Agreement, members countries are able to utilize a multilateral forum, largely independent of the political pressures influencing bilateral relationships, to resolve disputes. As a GATT contracting party, Bulgaria will also have the opportunity to participate in all aspects of the Uruguay Round of Multilateral Trade Negotiations.

In return for these benefits, Bulgaria's accession is expected to result in similar benefits being granted to the trade of other GATT contracting parties, in Bulgarian trade policies set in accordance with the rules set out in the General Agreement, and with the establishment of a schedule of concessions that will provide a reciprocal level of market access for the trade of other contracting parties.

Authority: 15 CFR 2002.2.

David Weiss,
Chairman, Trade Policy Staff Committee.

[FR Doc. 90-12630 Filed 5-30-90; 8:45 am]

BILLING CODE 3140-01-M

Trade Policy Staff Committee; Public Comments on U.S. Negotiations With the Government of El Salvador in the Context of the Accession of the Republic of El Salvador to the General Agreement on Tariffs and Trade (GATT)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice and request for comments.

SUMMARY: Notice is hereby given that the Trade Policy Staff Committee (TPSC) is requesting written public comments on El Salvador's announced intention to accede to the GATT and on the bilateral negotiations that will accompany El Salvador's accession. Comments received will be considered by the Executive Branch in developing the U.S. position and objectives for

GATT examination of El Salvadoran accession and for the bilateral negotiations concerning the terms of its accession to the General Agreement.

DATES: Public comments are due by 12 noon, June 15, 1990.

ADDRESSES: Office of the U.S. Trade Representative, 600 17th Street, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Cecilia Leahy Klein, Director for GATT Affairs (telephone: 202-395-3063), or Ralph Ives, Director, Caribbean Basin Affairs, (telephone: 202-395-5190), Office of the U.S. Trade Representative, 600 17th Street, NW., Washington, DC 20506.

SUPPLEMENTARY INFORMATION:

1. Written Comments

The Chairman of the Trade Policy Staff Committee invites written public comments on the issues that will be addressed in the course of examination by the Contracting Parties to the GATT of the request by El Salvador for accession and during bilateral negotiations in the context of El Salvadoran accession to the GATT addressing the terms of its accession, including tariff concessions. The Committee is particularly interested in views on the impact on U.S. trade of El Salvadoran accession to the GATT, on specific bilateral issues covered by the provisions of the General Agreement that should be addressed in the accession negotiations, on tariff items of specific interest to U.S. exporters to El Salvador and on the experiences of U.S. firms in trading with El Salvador.

All comments will be considered by the Executive Branch in developing the U.S. position and objectives for GATT examination of El Salvadoran accession and for bilateral negotiations concerning both the substantive terms of El Salvadoran accession and the establishment of a GATT schedule of tariff concessions.

Persons wishing to submit written comments should provide a statement, in twenty copies, by noon, Friday, June 15, 1990, to Carolyn Frank, TPSC Secretary, Office of the U.S. Trade Representative, room 517, 600 17th Street, NW., Washington, DC 20506. Non-confidential information received will be available for public inspection by appointment, in the USTR Reading room, 600 17th Street, NW., room 101, Washington, DC, Monday through Friday, 10 a.m. to 12 noon and 1 p.m. to 4 p.m. For an appointment call Brenda Webb on 202-395-6186. Business confidential information will be subject to the requirements of 19 CFR 2003.6. Any business confidential material must

be clearly marked as such, and must be accompanied by a non-confidential summary thereof.

2. Background

El Salvador has submitted a request to the GATT Contracting Parties to accede to the General Agreement pursuant to Article XXXIII. A Working Party, composed of interested GATT members, has been established to examine this request, and El Salvador has submitted documentation that will allow the Contracting Parties to examine its foreign trade regime and submit to the GATT Council recommendations that may include a draft Protocol of Accession. The United States will be a major participant in these deliberations, and will engage in bilateral negotiations with El Salvador to develop the terms of its accession to the General Agreement contained in the Protocol.

The Protocol of Accession that El Salvador negotiates with the Contracting Parties will set forth the agreed terms of El Salvador's GATT membership, including the relationship of its foreign trade regime to the Articles of the General Agreement. Aspects of a country's foreign trade regime that are normally examined in such negotiations include: national treatment of imports, licensing requirements, quantitative trade restrictions, subsidy practices, non-tariff charges and taxes, customs valuations and classification procedures, transparency in trade regulation and administration, and state trading practices and monopolies.

In additions, as part of the accession process, El Salvador will also conduct bilateral negotiations with interested GATT members to formulate a schedule of tariff concessions that will become part of its Protocol of Accession. These concessions will consist of El Salvador's agreement to bind the tariffs applied to certain imports, restricting its ability to increase the tariff rate applied to those items without offering appropriate compensatory tariff concession on other items. The rates of duty negotiated bilaterally will be the maximum levels applied to the trade of all GATT contracting parties after El Salvador's accession to the GATT.

The advantages to El Salvador of GATT membership are several. As a GATT member, El Salvador will enjoy a multilateral guarantee of unconditional most favored nation treatment from all other GATT contracting parties that is more comprehensive than that available through bilateral agreements. The bindings on tariffs maintained in the tariff schedules of other GATT contracting parties will be extended to El Salvadoran imports as obligations

under the GATT. El Salvador will also have recourse to GATT procedures to protect itself from unfair or unreasonable trade actions by its trading partners. Through the dispute settlement provisions in the General Agreement, member countries are able to utilize a multilateral forum, largely independent of the political pressures influencing bilateral relationships, to resolve disputes.

In return for these benefits, El Salvador will be expected to grant similar benefits to the trade of other GATT contracting parties, to conduct its trade policies in accordance with the rules set out in the General Agreement, and to establish its own schedule of tariff concessions.

Authority: 15 CFR 2002.2.

David Weiss,

Chairman, Trade Policy Staff Committee.

[FR Doc. 90-12631 Filed 5-30-90; 8:45 am]

BILLING CODE 3140-01-M

Trade Policy Staff Committee; Public Comments on U.S. Negotiations with the Government of Guatemala in the context of the Accession of the Republic of Guatemala to the General Agreement on Tariffs and Trade (GATT)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice and request for comments.

SUMMARY: Notice is hereby given that the Trade Policy Staff Committee (TPSC) is requesting written public comments on Guatemala's announced intention to accede to the GATT and on the bilateral negotiations that will accompany Guatemalan accession. Comments received will be considered by the Executive Branch in developing the U.S. position and objectives for GATT examination of Guatemalan accession and for the bilateral negotiations concerning the terms of its accession to the General Agreement.

DATES: Public comments are due by 12 noon, June 15, 1990.

ADDRESS: Office of the U.S. Trade Representative, 600 17th Street, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Cecilia Leahy Klein, Director for GATT Affairs (telephone: 202-395-3063), or Ralph Ives, Director, Caribbean Basin Affairs, (telephone: 202-395-5190), Office of the U.S. Trade Representative,

6700 17th Street, NW., Washington, DC 20506.

SUPPLEMENTARY INFORMATION:

1. Written Comments

The Chairman of the Trade Policy Staff Committee invites written public comments on the issues that will be addressed in the course of examination by the Contracting Parties to the GATT of the request by Guatemala for accession and during bilateral negotiations in the context of Guatemalan accession to the GATT addressing the terms of its accession, including tariff concessions. The Committee is particularly interested in views on the impact on U.S. trade of Guatemalan accession to the GATT, on specific bilateral issues covered by the provisions of the General Agreement that should be addressed in the accession negotiations, on tariff items of specific interest to U.S. exporters to Guatemala and on the experiences of U.S. firms in trading with Guatemala.

All comments will be considered by the Executive Branch in developing the U.S. position and objectives for GATT examination of Guatemalan accession and for bilateral negotiations concerning both the substantive terms of Guatemalan accession and the establishment of a GATT schedule of tariff concessions.

Persons wishing to submit to written comments should provide a statement, in twenty copies, by noon, Friday, June 15, 1990, to Carolyn Frank, TPSC Secretary, Office of the U.S. Trade Representative, room 517, 600 17th Street, NW., Washington, DC 20506. Non-confidential information received will be available for public inspection, by appointment, in the USTR Reading room, 600 17th Street, NW., room 101, Washington, DC, Monday through Friday, 10 a.m. to 12 noon and 1 p.m. to 4 p.m. For an appointment call Brenda Webb on 202-395-6186. Business confidential information will be subject to the requirements of 19 CFR 2003.6. Any business confidential material must be clearly marked as such, and must be accompanied by a non-confidential summary thereof.

2. Background

Guatemala has submitted a request to the GATT Contracting Parties to accede to the General Agreement pursuant to Article XXXIII. A Working Party, composed of interested GATT members, has been established to examine this request, and Guatemala has submitted documentation that will allow the Contracting Parties to examine its foreign trade regime and submit to the GATT Council recommendations that

may include a draft Protocol of Accession. The United States will be a major participant in these deliberations, and will engage in bilateral negotiations with Guatemala to develop the terms of its accession to the General Agreement contained in the Protocol.

The Protocol of Accession that Guatemala negotiates with the Contracting Parties will set forth the agreed terms of Guatemala's GATT membership, including the relationship of its foreign trade regime to the Articles of the General Agreement. Aspects of a country's foreign trade regime that are normally examined in such negotiations include: national treatment of imports; licensing requirements; quantitative trade restrictions; subsidy practices; non-tariff charges and taxes; customs valuation and classification procedures; transparency in trade regulation and administration; and state trading practices and monopolies.

In addition, as part of the accession process, Guatemala will also conduct bilateral negotiations with interested GATT members to formulate a schedule of tariff concessions that will become part of its Protocol of Accession. These concessions will consist of Guatemala's agreement to bind the tariffs applied to certain imports; restricting its ability to increase the tariff rate applied to those items without offering appropriate compensatory tariff concessions on other items. The rates of duty negotiated bilaterally will be the maximum levels applied to the trade of all GATT contracting parties after Guatemala's accession to the GATT.

The advantages to Guatemala of GATT membership are several. As a GATT member, Guatemala will enjoy a multilateral guarantee of unconditional most favored nation treatment from all other GATT contracting parties that is more comprehensive than that available through bilateral agreements. The bindings on tariffs maintained in the tariff schedules of other GATT contracting parties will be extended to Guatemalan imports as obligations under the GATT, and Guatemala will enjoy the injury test on duty free trade involved in U.S. countervailing duty investigations. Guatemala will also have recourse to GATT procedures to protect itself from unfair or unreasonable trade actions by its trading partners. Through the dispute settlement provisions in the General Agreement, member countries are able to utilize a multilateral forum, largely independent of the political pressures influencing bilateral relationships, to resolve disputes.

In return for these benefits, Guatemala will be expected to grant similar benefits to the trade of other

GATT contracting parties, to conduct its trade policies in accordance with the rules set out in the General Agreement, and to establish its own schedule of tariff concessions.

Authority: 15 CFR 2002.2.

David Weiss,

Chairman, Trade Policy Staff Committee.

[FR Doc. 90-12632 Filed 5-30-90; 8:45 am]

BILLING CODE 3190-01-M

Meetings and Determination of Closing of Meetings: ACTPN Task Force on Industrial Subsidies Defense Policy Advisory Committee on Trade Services Policy Advisory Committee

The meetings of the ACTPN Task Force on Industry Subsidies to be held June 8, 1990 from 9 a.m. to 3 p.m., in Washington, DC, and the Defense Policy Advisory Committee on Trade to be held June 13, 1990 from 10 a.m. to 1 p.m., in Washington, DC, and the Services Policy Advisory Committee to be held June 28, 1990 from 2 p.m. to 5 p.m., in Washington, DC, will include the development, review and discussion of current issues which influence the trade policy of the United States. Pursuant to section 2155(f)(2) of title 19 of the United States Code, I have determined that these meetings will be concerned with matters the disclosures of which would seriously compromise the Government's negotiating objectives of bargaining positions.

Additional information can be obtained by contacting Mollie Van Heuven, Director, Office of Private Sector Liaison, Office of the United States Trade Representative, Executive Office of the President, Washington, DC 20506.

Carla A. Hills,

United States Trade Representative.

[FR Doc. 90-12520 Filed 5-30-90; 8:45 am]

BILLING CODE 3190-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-28047; File No. SR-BSE-90-05]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by Boston Stock Exchange, Inc. Relating to Amendments to Its Fee Schedules

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on April 30, 1990, the Boston Stock Exchange, Inc. ("BSE" or

"Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Effective May 1, 1990, the BSE modified certain of its fee schedules by adding a new category relating to automated portfolio cross orders which establishes that only one trade side per cross will be charged,¹ and reducing the maximum fees for Value Charges and for Trade Recording and Comparison from \$100 to \$50 and from \$50 to \$25, respectively. In addition, the Exchange decreased the solely listed issue credits from \$50 to \$25 per stock per month, and increased its original listing fees from \$6,000 to \$7,500.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of amending the fee schedules is to offer a more competitive rate for executing automated portfolio cross orders, to provide incentives for solely listed issue credits to registered specialists, and to increase listing fees.

The statutory basis for the proposed rule change is section 6(b)(4) of the Act in that it provides for the equitable allocation of reasonable dues, fees and other charges among BSE members and issuers.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Purpose Rule Change Received from Members, Participants or Others

Comments were solicited from the Fee Committee of the Board of Governors which is comprised of representatives of dealer-specialist, retail, and institutional firms; the Executive Committee which serves as the Board of Governors of the BSE Clearing Corporation; and the Board of Governors of the Exchange. No written comments were received on the proposal.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing rule change establishes or changes a due, fee or other charge imposed by the Exchange, it has become effective pursuant to section 19(b)(3)(A) of the Act and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the BSE. All submissions should refer to File No. SR-

BSE-90-05 and should be submitted by June 21, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 24, 1990.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 90-12603 Filed 5-30-90; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-29048; File No. SR-DTC-90-05]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing of a Proposed Rule Change Providing for Continuous Net Settlement of Certain Institutional Delivery Trades

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on April 25, 1990, the Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

DTC proposes to revise its rules to enable broker-dealers that are dual members of DTC and National Securities Clearing Corporation ("NSCC"), and that participate in DTC's Institutional Delivery ("ID") system¹ and NSCC's continuous net settlement ("CNS") system,² to settle affirmed institutional trades that normally settle through the ID system through NSCC's CNS system. This option only would be available for trades in securities that are CNS eligible and that are settled by a "Prime Broker" (i.e., a broker-dealer

¹ Under DTC's ID system, DTC sends trade confirmations to broker-dealers' customers and elicits affirmations from those customers. If the customer affirms the trade by the third day after the trade date and the deliverer has sufficient securities in his account, settlement generally occurs automatically by book-entry at DTC on the fifth day after the trade date. See DTC Participant Operating Procedures, Section M.

² In NSCC's CNS system, NSCC nets each broker-dealer's purchases and sales in each security to arrive at daily net settlement obligations for each broker-dealer. Broker-dealers can either settle each day or carry open commitments forward to net against the next day's settlement. See the October 1987 Market Break, A Report by the Division of Market Regulation, U.S. Securities and Exchange Commission (February 1988) at 10-5.

¹ On May 23, 1990, the BSE submitted a letter to the Commission which clarified that the sell side of the cross will be charged. See letter from Karen Aluise, BSE to Laurie Petrell, Division of Market Regulation, SEC, dated May 23, 1990.

participating in the ID system that provides a custodial facility for institutional customers).

Under the rule change, a dual member executing a trade on behalf of an institutional customer ("executing broker") would report the trade details to DTC for initial processing through the ID system. At the time of submission, the executing broker would be required to determine whether the trade would settle on a trade-for-trade basis through the ID system, or whether DTC would be required to forward the trade details to NSCC for processing through CNS. If the executing broker chose the former, the trade would settle via DTC's customary ID procedures. If, on the other hand, the executing broker wanted the trade to settle through CNS, it would submit the Prime Broker's CNS agent ID number to DTC when reporting the details of the trade.³

After the executing broker reports the trade to DTC using the Prime Broker's CNS number, DTC would complete its usual ID confirmation and affirmation procedures with respect to the trade. However, on the third day after the trade date ("T+3"), DTC would deliver the trade details via CCF⁴ to NSCC for processing through CNS. If the Prime Broker determines that the trade should not settle through CNS, it may instruct DTC on or prior to 7:30 p.m. (EST) on T+3 not to forward the trade to NSCC. If the Prime Broker so instructed, the trade would be processed through the ID system at DTC.

Once DTC enters the trade into the CNS system, it will settle like a routine CNS trade. NSCC will combine the Prime Broker's and executing broker's positions with their other respective CNS positions in securities of the same issue to arrive at a net deliver or receive obligation for the Prime Broker and executing broker with respect to that issue. After establishing such net deliver or receive obligations for the Prime Broker and executing broker, NSCC, in accordance with its rules, will guarantee their respective obligations at midnight on T+4.⁵ Pursuant to NSCC's usual CNS procedures, money settlement for these trades will occur at NSCC, while settlement of securities will occur at DTC.

³ Prime brokers are required to maintain two or more agent ID numbers. One of these numbers would be reserved as a special number to be used only for trades that are directed to settle in CNS.

⁴ CCF is DTC's acronym for "Computer to Computer Facility." CCF is used for direct computer to computer communication between DTC and its participants' IBM mainframe computers.

⁵ See NSCC Procedures, Addendum M.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Summaries are set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

DTC states in its filing that the purpose of the proposed rule change is to give ID system users the option to have affirmed trades entered into NSCC's CNS system when such trades are settled by Prime Brokers.

DTC believes the proposed rule change is consistent with section 17A of the Act because it will promote efficiencies in the clearance and settlement of securities transactions.

(B) Self-Regulatory Organization's Statement on Burden on Competition

DTC perceives no impact on competition by reason of the proposed rule change.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

The proposed rule change was developed at the request of DTC's participants. DTC has not solicited or received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the *Federal Register* or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to file number SR-DTC-90-05 and should be submitted by June 21, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 24, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90-12604 Filed 5-30-90; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-28044; File Nos. SR-MBSCC-90-01 and SR-BSECC-90-01]

Self-Regulatory Organizations; Order Approving Proposed Rule Changes by MBS Clearing Corporation and Boston Stock Exchange Clearing Corporation Relating to Membership in Securities Clearing Group

May 23, 1990.

The MBS Clearing Corporation ("MBSCC") and the Boston Stock Exchange Clearing Corporation ("BSECC") filed proposed rule changes (File Nos. SR-MBSCC-90-01 and SR-BSECC-90-01) on February 23, 1990, and March 16, 1990, respectively, with the Securities and Exchange Commission ("Commission") under Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78c(b)(1). Notice of the proposals was published in the *Federal Register* on April 3, 1990.¹ No comments

¹ See Securities Exchange Act Release No. 27847 (March 26, 1990), 55 FR 12433.

were received. This order approves the proposals.

I. Description of the Proposals

The proposed rule changes authorize MBSCC and BSECC to become members of the Securities Clearing Group ("SCG"). SCG is an organization formed in 1988 by seven clearing agencies for the purposes of, among other things: (1) Creating procedures to minimize risks posed by participants in more than one clearing agency; and (2) confirming each clearing agency's authority to provide to other SCG members confidential information concerning the financial and operating condition of clearing agency participants that are also participants in other SCG member clearing agencies.² The seven original SCG members are: Midwest Securities Trust Company, Midwest Clearing Corporation, Depository Trust Company, National Securities Clearing Corporation, Options Clearing Corporation, Stock Clearing Corporation of Philadelphia and Philadelphia Depository Trust Company.

The original SCG Agreement sets forth the purposes of the group, the method of participation, and relevant legal considerations.³ That Agreement limits SCG membership to clearing agencies registered with the Commission under section 17A of the Act.

At an SCG meeting held on November 9, 1989, SCG members unanimously voted to allow BSECC and MBSCC to become parties to the SCG Agreement. The SCG members determined that the participation of MBSCC and BSECC would enhance the goals of the organization by expanding the sources for information sharing and by further decreasing risks within the National Clearance and Settlement System.⁴

II. Rationale for the Proposals

MBSCC and BSECC state that the proposed rule changes are consistent with the purposes and requirements of section 17A of the Act in that they foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions and remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions.

² See Securities Exchange Act Release No. 27044 (July 18, 1989), 54 FR 30963, in which the Commission approved formation of the SCG.

³ For text of the SCG Agreement, see Securities Exchange Act Release No. 26300 (November 21, 1989), 53 FR 48353.

⁴ See Securities Exchange Act Release No. 27850 (March 27, 1990), 55 FR 12761, amending the SCG Agreement to provide for the admission of MBSCC and BSECC as SCG members.

III. Discussion

The Commission believes the proposals are consistent with the Act. Membership of MBSCC and BSECC in SCG will, among other things, improve the ability of MBSCC and BSECC to monitor the operating and financial condition of their broker-dealer participants that are members of two or more clearing agencies. Additionally the proposals will encourage cooperation and coordination among persons engaged in the clearance and settlement of securities transaction as required by section 17A(b) (3) (F) of the Act and will facilitate the establishment of a national system for the prompt and accurate clearance and settlement of securities transactions as required by section 17A(a) (2) of the Act.

For these reasons, and for the reasons set forth in the order approving SCG incorporated here by reference,⁵ the Commission finds that the proposals are consistent with the requirements of the Act, particularly section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, Pursuant to section 19 (b) (2) of the Act, that the above-mentioned proposed rule changes (SR-MBSCC-90-01 and SR-BSECC-90-01) be, and hereby are, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority (17 CFR 200.3(a) (12)).

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90-12605 Filed 5-30-90; 8:45 am]

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[Release No. 34-28049; File Nos. SR-MBSCC-88-19 and SR-MBSCC-89-03]

Self-Regulatory Organizations; MBS Clearing Corporation; Order Approving Proposed Rule Changes Amending and Clarifying MBS Clearing Corporation Rules

May 24, 1990.

The MBS Clearing Corporation ("MBSCC") has filed, pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ two proposed rule changes (File Nos. SR-MBSCC-88-19 and SR-MBSCC-89-03) making numerous adjustments, clarifications and additions to MBSCC's rules, including changes to MBSCC's Settlement Balance Order ("SBO") system, account configuration, membership standards and participants

fund.² On May 8, 1990, MBSCC amended proposed rule change MBSCC-89-03 to withdraw those provisions of the rule filing which would increase the minimum market margin differential deposit to \$2.5 million for each account group maintained by an MBSCC Participant.³ The Commission published notice of the proposals in the Federal Register.⁴ No comments were received regarding these proposals. This order approves the proposed rule changes.

I. Description of the Proposals

The proposals under consideration constitute an effort by MBSCC to improve MBSCC's operations and to bring clarity and accuracy in its rules to the description of its operations. The proposals contain rules changes covering a wide range of MBSCC operations and services, including participation standards and financial reporting requirements, account configuration, participants fund, market margin differential, the SBO system and broker transactions.

The proposals also contain miscellaneous changes described briefly below. First, the proposals adjust the rules to reflect the sale of the MBSCC Depository Division to the Participants Trust Company. Those changes included deletion of all references to the MBSCC Depository Division and replacing references to the MBSCC Clearing Division with references to MBSCC. Second, the proposals add MBSCC's practice of billing, on behalf of the Public Securities Association ("PSA"), participants who are members of the PSA for fees and charges imposed by the PSA. Third, the term "securities" is expanded to cover, in addition to mortgage-backed securities and government securities, other asset-backed securities designated by MBSCC as eligible securities.⁵ Finally, the

² MBSCC filed SR-MBSCC-88-19 on November 25, 1988, and SR-MBSCC-89-03 on March 29, 1989.

³ Letter from Jeffrey Lewis, Associate General Counsel, MBSCC, to Jonathan Kallman, Assistant Director, Division of Market Regulation, Commission (April 30, 1990). MBSCC is studying the risk and liquidity needs with regards to late payments of SBO market differentials and cash adjustment payments and plans to address those issues in a separate filing. The Commission did not publish notice of the amendment to the proposed rule filing because it does not substantially change the proposal as originally noticed in the Federal Register.

⁴ For MBSCC-88-19, see Securities Exchange Act Release No. 26471 (January 18, 1989), 54 FR 3703. For MBSCC-89-03, see Securities Exchange Act Release No. 27163 (August 22, 1989), 54 FR 35961.

⁵ The Commission notes that MBSCC, prior to declaring such asset-backed securities as eligible securities, must file a proposed rule change with the Commission under section 19(b) of the Act.

⁵ See, supra, note 2.

¹ 15 U.S.C. 78s(b)(1) (1981).

proposals delete several definitions that have become unnecessary or obsolete (because of simplifications of the rules or modification of certain services) and modify and add new definitions in conjunction with the changes described below.

1. Participation Standards and Financial Reporting Requirements

The proposal expands the sphere of entities eligible for participation in MBSCC to include government securities broker-dealers registered under section 15C of the Act. Such applicants may satisfy their obligation to provide MBSCC with financial statements by filing with MBSCC copies of Form G-405 Report on Finances and Operations that those applicants must file with the U.S. Department of the Treasury. The proposal also clarifies that if applicants meet their MBSCC financial requirements through parent company guaranties, the parent company must satisfy MBSCC's net worth standards on an unconsolidated basis. Finally, in addition to the specifically enumerated financial reports, the proposal allows MBSCC to require participants to file additional information, as MBSCC reasonably may require, pertaining to their financial condition or their guarantors, if guaranteed by a parent company.

2. Account Configuration

The proposal provides a new structure for participant clearing accounts. Participants may maintain one or more of two types of clearing accounts, or "Account Groups": (1) A broker account, for a participant acting as a broker on behalf of participant dealers, and (2) A dealer account, for a participant acting as a dealer. Broker and dealer transactions may not be commingled within any Account Group. Each Account Group may contain one or more of the following subaccounts: (1) Trade-for-trade (for processing trades through the trade-for-trade system), (2) SBO (for processing transactions through both the SBO and/or trade-for-trade systems), and (3) options (for recording options contracts). The proposal will allow a participant, with prior notice to MBSCC, to convert a trade-for-trade account to an SBO account and *vice versa*. Moreover, the proposal allows MBSCC to establish other types of subaccounts in the future.⁶

⁶ No additional types of subaccounts are contemplated to be added by MBSCC at this time. If MBSCC proposes to offer any new subaccount types, MBSCC must file those proposals with the Commission as a proposed rule change under section 19(b) of the Act.

Each participants agreement will specify the type and number of Account Groups and subaccounts. Changes in the number and type of Account Groups will require a re-executed participants agreement or a letter from the participant, satisfactory to MBSCC, describing the changes. Participants with multiple Account Groups will bear full financial responsibility for transactions in all subaccounts in all Account Groups. The proposals require participants to make separate contributions to the participants fund for each Account Group. MBSCC will compute, and a participant must deposit, the market margin differential component of the participants fund separately⁷ for each Account Group.

3. Participants Fund

The proposal raises each participant's minimum contribution requirement to the participants fund. The participants fund consists of two components: a basic deposit and a market margin differential ("MMD") deposit.⁸ The proposal would require a basic deposit of \$10,000 for each account within an account group. The MBSCC Board of Directors, however, based upon the recommendation of the Risk Management Committee, may in its discretion increase the amount of either the basic deposit or the MMD deposit and exempt a broker participant from the MMD deposit(s) for its broker Account Group(s).

Each business day MBSCC will calculate the required MMD deposit of each participant for each Account Group. The MMD deposit is the sum of 130% of the net MMD for all the subaccounts within an Account Group plus 130% of the amount of any unpaid SBO market differential or cash adjustment⁹ (excluding any unpaid participant charges included in the SBO market differential). A participant must deposit any amount not already covered by prior MMD deposits by noon of the next business day. Upon written request, excess MMD deposits in one Account Group may be used to offset a deficiency in another Account Group. The proposal clarifies that MMD

⁷ See note 7, *infra*, for a description of market margin differential.

⁸ The MMD generally is the sum of net excess of original contract value over current market value of a participant's net long open commitments plus the net excess of current market value over the original contract value of a participant's net short open commitments. The MMD deposit is designed to limit MBSCC's financial exposure in the event a participant's open commitments are liquidated at a loss.

⁹ See text accompanying note 14, *infra*, for a description of SBO market differential and cash adjustment.

deposits are required not only with respect to net long and net short positions in a particular settlement class, but also with respect to net zero positions, in which purchases have been offset by sales. The MMD for a net zero position is equal to the net excess of original contract value of purchases over sales.

Under the proposal, MBSCC may use participants fund deposits with respect to any Account Group to cover any losses or discharge any liability to MBSCC arising from a default of another Account Group of the participant. MBSCC will use such funds first to satisfy the loss claims of non-original SBO contra-side participants,¹⁰ and to the extent of any remaining funds, to satisfy loss claims of original contra-side participants.¹¹ If the funds are not sufficient to satisfy claims of non-original SBO contra-side participants, MBSCC will assess original contra-side participants to cover the shortfall.

4. SBO Transactions

The SBO system is a trade recording system that, through netting by novation, reduces member settlement obligations to a single deliver/receive obligation and a single payment obligation for each class of securities. Generally, MBSCC calculates member SBO payment obligations using the current market value of the traded securities as the trade price. To account for the difference between the SBO trade price and the contract price, MBSCC calculates a SBO market differential ("SBOMD") for each member, which MBSCC pays to or collects from members on settlement date. This adjustment, however, is not sufficient to yield members the same funds they would receive if each trade settled without netting. Mortgage-backed securities represent direct ownership interests in specific "pools" of mortgages and are subject to a monthly payoff of principal and interest to the owner. As a result, the actual principal amounts delivered in trade settlements on mortgage-backed securities can vary from the contractual amount by up to 2.49999%. Therefore, MBSCC calculates a second adjustment, or the cash adjustment to account for the difference. MBSCC collects and pays

¹⁰ A non-original SBO contra-side participant is a contra-side participant that did not originally trade with the participant, but through the netting process has been matched with the participant to deliver or receive securities and exchange funds in order to meet its settlement obligations.

¹¹ An original contra-side participant is the party with whom the participant originally made the transaction.

the cash adjustment during the next month's settlement cycle.

For the most part, the proposals do not change the actual operation of the SBO system. Rather, they provide greater detail about the operation of the netting process, the SBOMD and the cash adjustment. The proposals, however, include some substantive changes to the SBO system. First, the proposals, as described below, require both parties to a trade to inform MBSCC of settlement after settlement has occurred. Second, the proposals also introduce new components to the cash adjustment: (1) The broker adjustment, and (2) fines and fees that MBSCC is due from a member.

Under the proposal, transactions intended for netting through the SBO system will be termed "SBO-destined trades." MBSCC will net each participant's SBO-destined trades by settlement class on a monthly basis.¹² The netting process minimizes the number of settlement deliveries among participants who choose to trade with each other. The netting process will consist of the following steps:

(1) Purchase and sale transactions between the participant and each original contra-side participant will be offset ("netted positions").

(2) To the extent that any transactions cannot be offset in the manner described above, MBSCC will offset purchase and sale transactions among the participant and any of its original contra-side participants ("net-out positions").

(3) For any remaining positions ("net open positions") MBSCC will create one or more SBO trades in each settlement class between the participant and another participant, which may not be an original contra-side participant.

On settlement date, a participant with a net open position consisting of long SBO trades in any of its SBO subaccounts will be obligated to receive securities and pay the class average price ("CAP");¹³ and a participant with short SBO trades will be obligated to deliver securities in return for receipt of funds equal to the CAP. A participant with netted or net-out positions in any of its SBO accounts will not be obligated to deliver or receive securities nor will it be obligated to receive or pay funds for any securities other than to MBSCC for the net variation in the participant's

contract prices from the CAP as described below.

Because participants settle their SBO obligations by delivering or receiving securities against payment of the CAP (and not the contract price of the transaction), MBSCC computes a SBO market differential ("SBOMD")¹⁴ for all accounts to ensure participants receive or pay the contract value of a transaction. Generally, the SBOMD is the cash difference between the contract value of a transaction and the SBO trade price. MBSCC collects from participants on settlement date an amount equal to the SBOMD or pays that amount depending on whether the participant's SBOMD is positive or negative.

The proposal clarifies how MBSCC calculates the SBOMD adjustments. Under the proposal, MBSCC will determine each participant's SBOMD by first computing a firm class average price ("FCAP" for each participant's SBO-destined trade. The FCAP is the average purchase or sale contract price of a participant's SBO-destined trades in a settlement class with a particular original contra-side participant. The participant's SBOMD is equal to the sum of the following:

(a) For each of its netted positions, the difference (positive or negative) between the FCAPs for its purchases and the FCAPs for its sales; plus or minus

(b) For each of its net-out positions, the difference (positive or negative) between the FCAPs for its purchases and the FCAPs for its sales; plus or minus

(c) For each of its net open positions, the difference (positive or negative) between the participant's FCAPs for its purchase or sale transactions with the original contra-side participant and the CAP for its SBO trades.

Under the proposals, upon settlement of an SBO trade, both the delivering and receiving participants must notify MBSCC by submitting an SBO notification of settlement,¹⁵ which will include such information as the amortized value and pool or group number of the eligible securities delivered and received. Notification may be made either by entering a report of settlement through MBSCC's computer system or through submission to MBSCC of a delivery/receive ticket. MBSCC will compare the SBO notifications of settlement submitted by the delivering and receiving participants

and, if the information contained in both reports matches within certain prescribed tolerances, cancel the SBO trade on the next business day. Participants will be notified of such cancellation in the various reports sent to them by MBSCC.¹⁶

If the SBO notifications of settlement from the delivering and receiving participants do not agree within MBSCC's parameters or only one is received, MBSCC will issue an uncomparated advisory list listing the uncomparated SBO trade.¹⁷ The uncomparated advisory list will carry the SBO trade until the parties submit matching SBO notices of settlement. A participant that does not respond in a timely manner to a SBO trade listed on the uncomparated advisory list will receive a delinquent SBO advisory report¹⁸ and will be subject to a fine or other sanction by MBSCC. Any fine imposed by MBSCC for failure to attempt to resolve an uncomparated SBO trade will be included in the delinquent SBO advisory report. Upon resolution of the uncomparated SBO trade, parties to the trade will be notified by MBSCC of its resolution and removal from the uncomparated or delinquent SBO advisory reports.

MBSCC's second adjustment for SBO trades, the cash adjustment,¹⁹ is designed to account for differences between the value of securities actually delivered and the value of securities that were specified in the contract between the parties. Although SBO-eligible trades are executed in round lots of \$1 million, in accordance with PSA Guidelines, members at clearance²⁰ may deliver securities with an amortized value varying from the face value (or par amount) of the security by a prescribed percentage (up to 2.49999% of the par amount).²¹ Although the trades are settled at a uniform price (i.e., the CAP), in the absence of netting, the non-netted purchase price could vary substantially

¹⁶ Those reports include: notification of settlement report, purchase and sales report, open commitment report and market margin differential report.

¹⁷ The uncomparated SBO trade will also appear on the open commitment report and market margin differential report.

¹⁸ The delinquent SBO advisory report will replace the current SBO fail report.

¹⁹ The cash adjustment was formerly named the SBO amortized value adjustment. MBS-88-19 changed the name to SBO cash adjustment while MBS-89-3 further shortens the term to cash adjustment.

²⁰ The proposal defines "clearance" as the actual delivery and receipt of securities with respect to a transaction.

²¹ E.g., \$24,999 on a \$1,000,000 par amount trade.

¹² Mortgage-backed securities transactions settle on a single designated day each month. Generally, transactions in high-volume classes settle on the third Thursday each month and other classes settle on the previous Tuesday or the following Monday.

¹³ CAP is the average contract price of all SBO-destined trades in a particular settlement class.

¹⁴ The SBOMD is distinguished from the MMD, which is used in calculating the MMD deposit component of the participants fund.

¹⁵ The SBO notification of settlement replaces the current SBO settlement notification.

from the netted purchase price (which is based on CAP). In order to eliminate what could be a disincentive to netted settlement, MBSCC adjusts member settlement obligations to assure that each member receives or pays the contract price of the security.

The proposals clarify how MBSCC calculates the cash adjustment. Under the proposal, the cash adjustment is equal to the SBOMD for a member in any SBO netting chain²² multiplied by the percentage by which:

(a) In the case of a delivering or receiving participant, the amortized value of securities delivered or received at clearance by the participant, or

(b) In the case of dealer participant with a net-out position, the amortized value of securities delivered or received at clearance by any SBO contra-side participant in the SBO netting chain, is a greater or less than the par amount

²² The SBO netting chain refers to the series of purchases and sales of securities in a particular settlement class which have been offset through the netting process, leading to the creation of an SBO trade.

of the securities. The cash adjustment is paid to or collected from MBSCC by members on the settlement day of the month following settlement.

The proposals also added two new components to the calculation of the cash adjustment: (1) A broker adjustment, and (2) An amount equal to any fines or interest imposed by MBSCC in accordance with the rules. MBSCC will not calculate a cash adjustment for brokers whose SBO-destined trades net to a net-out position. Instead, MBSCC will add or subtract a broker adjustment to the cash adjustment of the dealers on whose behalf a broker has acted. The broker adjustment is determined by calculating what would be the cash adjustment for the broker and allocating that amount to the dealers on whose behalf the broker acted based on the relative size of each dealer's SBOMD. Brokers generally charge a commission that is based on the contract value rather than the value of securities actually delivered. The broker adjustment eliminates any change in the broker's commission that might occur

due to an over- or under-delivery of securities.

The operation of the SBO system is illustrated by the following example:

MBSCC participants A, B, C and D make the following transactions: A sells to B \$1,000,000 principal amount of securities at 80 (i.e., for a purchase price equal to 80% of the principal amount). B resells the securities to C at 82 and C resells the securities to D at 90. A, B and D are dealers, while C is a broker. At clearance, A delivers securities having an amortized value of \$975,000.

5. Trade-for-Trade Processing

Under a trade-for-trade processing scenario, each participant settles directly with the participant with whom it traded. Therefore, A settles with B, B settles with C, and C settles with D. A delivers to B securities with a value of \$975,000. B would be required to pay A 80% of the value of the securities delivered, or \$780,000 (\$975,000 x .80). Likewise, the transactions between B and C, and C and D would be settled in the same manner:

Part A	Part B	Part C	Part D
\$975,000	\$975,000		
.80	.80		
\$780,000 (Credit)	\$780,000 (Debit)		
	\$975,000		
	.82		
	\$799,500 (Credit)	\$975,000	
		.82	
		\$799,500 (Debit)	
		\$975,000	\$975,000
		.90	.90
		\$877,500 (Credit)	\$877,500 (Debit)
	\$780,000 (Debit)	\$799,500 (Debit)	
	\$799,500 (Credit)	\$877,500 (Credit)	
	\$19,500 (Credit)	\$78,000 (Credit)	

After clearance, the resulting positions are: A has received \$780,000 for its security; B, after buying the security from A and selling to C, has a profit of \$19,500; C, after buying the security from B and selling to D, has a profit of \$78,000; and D has received a \$975,000 face value security for \$877,500. C, however, is a broker and receives a commission based on the par amount of the securities, not the amortized value. Therefore, it should make a profit (its commission) of \$80,000 (the difference between \$1,000,000 x .82 and \$1,000,000 x .90). B and D will have to pay C the \$2,000 difference outside the settlement system.

6. SBO Netting System Settlement

Under the SBO netting system scenario, MBSCC first nets each participant's trades. In this example, both B and C net to a net out position (because each bought and sold the same amount of securities) thereby eliminating any delivery or receive obligations for B or C. An SBO trade is created in which A and D are matched as SBO contra-side participants to a transaction and A will be required to deliver securities to D in return for payment from D. The settlement price which D will be required to pay A is the CAP multiplied by the principal amount of the securities delivered. The CAP is the average of the contract price of

purchases and sales within the settlement class: $(80 + 82 + 90) \div 3 = 84$. Therefore, the settlement price will be $.84 \times \$975,000$, or \$819,000.

To ensure that each participant receives or pays the contract value of a transaction, a SBOPMD is calculated for each participant. For A and D, who have net open positions, the SBOMD is the difference between the settlement price for the SBO trade at CAP and the FCAP for their purchase or sales transactions with their original contra-side participants. For B and C, who have net-out positions, the SBOMD is the difference between their FCAPs for their respective purchases and the FCAPs for their respective sales. In this example,

because each participant only traded

once with another participant, the FCAP

in each instance is the contract price. The calculations are as follows:

	Part A		Part B
SBOMD	\$800,000 (CAP-Credit)		\$800,000 (FCAP-Debit)
	\$840,000 (FCAP-Credit)		\$820,000 (FCAP-Credit)
	\$40,000 (Debit)		\$20,000 (Credit)
	Part C		Part D
SBOMD	\$820,000 (FCAP-Debit)		\$900,000 (FCAP-Debit)
	\$900,000 (FCAP-Credit)		\$840,000 (CAP-Debit)
	\$80,000 (Credit)		\$60,000 (Debit)

On settlement date, A and D must wire MBSCC an aggregate of \$100,000 to MBSCC, which MBSCC, in turn, will wire to B and C in the amounts of \$20,000 and \$80,000, respectively.

At clearance A delivers to D securities having an amortized value of \$975,000. A is then entitled to receive from D an amount equal to the

amortized value of the securities delivered multiplied by the CAP, or \$819,000 (\$975,000 x .84).

Because A delivered securities with amortized amount differing from the par amount of the securities (\$1,000,000), a cash adjustment is calculated to properly reflect this difference. The cash adjustment for each participant is the

participant's SBOMD multiplied by the percentage by which the amortized value of the securities delivered at settlement is greater or lesser than the par amount. In this example the difference is \$25,000, or 2½%.

Therefore, the cash adjustments for each participant is as follows:

Part A	Part B	Part C	Part D
\$40,000 .025	\$20,000 .025	\$80,000 .025	\$60,000 .025
\$1,000 (Credit)	\$500 (Debit)	\$2,000 (Debit)	\$1,500 (Credit)

A and D, who were required to make SBOMD payments, are entitled to receive cash adjustments of \$1,000 and \$1,500, respectively. B and C, who received SBOMD payments, are required to pay cash adjustments of \$500 and \$2,000, respectively.

The combined effect of the netting SBOMD and cash adjustment is to replicate the results of the trade-for-trade settlement:

For Part A:	\$819,000	Payment from D
	-\$40,000	SBOMD
	+\$1,000	Cash Adjustment
	\$780,000	Received for Sale
For Part B:	\$20,000	SBOMD
	-\$500	Cash Adjustment
	\$19,000	Credit
For Part C:	\$80,000	SBOMD
	-\$2,000	Cash Adjustment
	\$78,000	Credit
For Part D:	-\$189,000	Payment to A
	-\$60,000	SBOMD
	+\$1,500	Cash Adjustment
	\$877,500	Paid for purchase of securities

A receives \$780,000 for the sale of the securities, B and C make a profit of \$19,500 and \$78,000, respectively, for the

purchase and sale of securities, and D pays \$877,500 to receive securities with an amortized value of \$975,000.

7. Broker Adjustment

In the example, C is a broker acting on behalf B and D and receives as compensation an amount based on the par amount of the securities. In both the trade-for-trade and SBO system settlements, however, the broker's compensation (or his profit) is tied to the amortized value of the securities and not the par amount, resulting in a decrease of \$2,000 in compensation to C. B and D would then separately have to refund the broker for the missing \$2,000 of compensation. The broker adjustment eliminates this extra payment for B and D and accounts for the difference in compensation based on the principal amount and the amortized value of the securities. The broker adjustment constitutes an allocation of broker's compensation to the dealers on whose behalf the broker acts. The allocation is made in proportion to the relation of the size of each dealer's SBOMD to the size of the sum of the two SBOMD's. In this example D, with a \$60,000 SBOMD, will be allocated a \$1,500 broker adjustment, while B, with a \$20,000 SBOMD, will be allocated a \$500 broker adjustment.

8. Broker Give-Up Trades

Under the proposals, MBSCC will accommodate broker participants acting on behalf of dealer participants through the creation of a broker give-up trade. A broker entering a broker give-up trade will submit pre-compared trade input to MBSCC, including the identity of the dealers on whose behalf it has acted. MBSCC will temporarily identify the broker in the purchase and sale reports and open commitment reports as the original contra-side participant with respect to both the purchasing and selling dealers. On a prescribed broker give-up date,²³ the dealers will be paired with one another and the broker participant will be removed from the transaction. The dealer participants will receive new purchase and sales reports and a broker give-up report reflecting such pairing.²⁴ A broker participant entering any transactions as a broker give-up trade warrant that it is authorized to do so by both the selling and the purchasing dealers. Each such dealer is liable as principal

²³ Generally, the broker give-up date will be five days after trade date, which is traditionally long enough for a dealer to remain anonymous to their trading partner.

²⁴ In addition, MBSCC will issue an audit report to the broker, listing the broker's broker give-up trades.

notwithstanding the temporary designation of the broker as original contra-side participant. A broker that enters a transaction other than as a broker give-up trade remains liable as principal.

9. Procedures and PSA Guidelines

The proposals amend MBSCC's rules to cross-reference MBSCC's procedures and PSA Guidelines concerning specifications for trade input and reconciliation of input discrepancies; exercise of option contracts; settlement reporting and reconciliation of settlement discrepancies; good delivery; payment of, and due bills for, principal and interest; and reclamations. Those specifications were drawn from the PSA Guidelines, an industry-wide recognized set of guidelines for the clearance and settlement of mortgage-backed securities transactions. By cross-referencing the PSA Guidelines, MBSCC expects to reduce member confusion in the event of PSA revises its guidelines. To assure conformity between MBSCC's rules and PSA Guidelines, the proposal deletes those specifications from MBSCC's rules and references MBSCC's procedures (which have been revised to incorporate the specifications) or the PSA Guidelines. The current rules also contain specific time deadline and processing time frames. The proposed rule changes add the specific time frames to MBSCC's procedures and revise MBSCC's procedures rules to reference MBSCC's procedures.

II. MBSCC's Rationale for the Proposals

MBSCC states that the purpose of the proposed rule changes is to facilitate the prompt and accurate clearance and settlement of securities transactions, as required by Section 17A of the Act. The rule changes are designed to achieve this purpose by (a) clarifying the operation of MBSCC's SBO and trade-for-trade-system, (b) setting forth in greater detail the respective roles and responsibilities of participant dealers and brokers, and (c) increasing collateral requirements to assure fulfillment by participants of their settlement obligations.

III. Discussion

Sections 17A(3) (A) and (F) of the Act require that a clearing agency be so organized and that its rules be designed to promote the prompt and accurate clearance and settlement of securities transactions and to safeguard funds and securities in its custody or control or for which it is responsible. Section 17A(3)(B) of the Act requires that the rules of a clearing agency provide that certain entities or classes of entities

may become participants. In addition, the Commission has published clearing agency registration standards ("Standards")²⁵ that provide additional guidelines concerning the Division of Market Regulation's ("Division") interpretation of sections 17A(3) (A), (B) and (F). As discussed below, the Commission believes that the proposals are in compliance with the Act and the Standards.

1. Participation Standards and Reporting Requirements

Section 17A(b)(3)(B) of the Act requires a registered clearing agency to establish membership and access standards, based, in part, on the potential financial exposure from participant activity in the clearing agency. The proposals would establish specific eligibility criteria for government securities brokers and dealers consistent with this requirement. The changes regarding participant financial reporting will allow MBSCC to monitor the financial condition of its participants and thus reduce the risk of member default or insolvency. First, the requirement that a parent guarantor satisfy MBSCC's net worth standards based on its unconsolidated net worth will assure MBSCC that the parent guarantor actually meets MBSCC's financial standards in place of the applicant. Accordingly, the proposals provide that MBSCC will not consider the assets of other subsidiaries of the parent because they may not be available to satisfy losses of the applicant. Second, MBSCC authority to require additional financial information from a participant or a parent guarantor will allow MBSCC to monitor a participant's financial condition, when necessary, more closely. This provision will be useful when MBSCC needs more financial information from a participant because it is concerned about the participant's ability to meet its settlement obligations or believes that the participant's settlement activity is exceptionally large in relation to the participant's size and financial condition. The Commission believes that the additional financial and operational requirements are fair and appropriate in light of the potential risk to MBSCC and its participants.

2. Account Configuration

The Commission believes that the new account structure will provide additional flexibility for participants to manage their accounts while improving MBSCC's capacity to safeguard funds

and securities in its custody or control, or for which it is responsible. The effect of the proposals is to allow dealer participants²⁶ to maintain essentially separate full-fledged accounts for transaction processing with MBSCC that reflect the internal structure within those organizations. For example, a dealer participant may maintain two dealer Account Groups with MBSCC to distinguish between two profit centers in separate cities.

Although each participant's Account Groups are in many ways independent (*i.e.*, MBSCC will calculate a separate participants fund deposit, including the MMD deposit, and require a participant to pay separate maintenance fees for each Account Group), MBSCC can aggregate all Account Groups assets and liabilities for purposes of resolving particular member defaults. In the event of a participant default in one Account Group but not another, the proposals authorize MBSCC to use the participants fund deposit in any of the participant's Account Groups to cover a shortfall in a particular Account Group. The Commission believes the proposals are consistent with reports on the October 1987 market break that urged clearing agencies to look at the aggregate risk posed by a participant.²⁷

3. Participants Fund and Market Margin Differential Deposit

The Act does not require a clearing agency to establish and maintain a clearing fund; however, the Standards counsel that "it is appropriate for a clearing agency to establish by rule an appropriate level of clearing fund contributions based, among other things, on its assessment of the risks to which it is subject."²⁸ In addition, the Standards provide that a clearing fund should be limited in the purposes for which it is used. The Commission believes that the proposals with regard to MBSCC's participants fund are consistent with the Act and the Standards.

The Commission believes the adjustments made to the MMD deposit will strengthen the participants fund, which is one of MBSCC's defenses against financial loss due to participant default. The clarification that MBSCC will calculate a MMD amount for participants with a net zero position will

²⁶ MBSCC does not expect any broker participants to request multiple broker Account Groups.

²⁷ See The President's Working Group on Financial Markets, Interim Report (May 1988) and U.S. Securities and Exchange Commission, *A Report by the Division of Market Regulation*, (February 1988) (the "Market Break Report").

²⁸ See *supra* note 25.

²⁵ See Securities Exchange Act Release No. 16900 (June 17, 1980), 45 FR 41920.

protect MBSCC in the event of a default of such a participant. Otherwise MBSCC may be exposed if the net difference of original contract value of purchases and sales transactions that comprise the net zero positions of the defaulting participant is positive. In addition, the exemption of broker participants from making a MMD deposit (subject to MBSCC Board of Directors approval) should not leave MBSCC exposed in the event of the default of such a participant. A broker participant acts as a conduit on behalf of dealer participants who wish to execute a trade anonymously. A broker's transactions should net to a zero position, as each purchase from a dealer is matched by an equivalent sale to another dealer. The result is that the broker has no delivery or receive obligation and its profit consists of the spread between the matching purchase and the sale transactions.²⁹

As stated in the description section, a participant may meet most of its MMD deposit requirement with letters of credit. The depository fund is composed mostly of deposits of letters of credit, with much lesser amounts of deposits of securities and cash. In general, a bank has up to 48 hours to meet a request to draw upon a letter of credit. The Commission is concerned that MBSCC, in the unlikely event of a participant default on a major settlement date, will have sufficient sources of liquid funds to meet its immediate cash needs. Therefore, the Commission urges MBSCC to complete its review, in connection with SR-MBSCC-90-2, of its MMD and minimum fund deposit requirements.³⁰

The proposals clarify MBSCC's rules to limit MBSCC's authority to assess only original contra-side participants for losses from the liquidation of an insolvent or defaulting participant's open commitments. The proposals do not change MBSCC's loss allocation procedures, which the Commission previously considered and approved in 1987.³¹

4. SBO Transactions

The proposed changes to MBSCC's rules concerning the operation of the SBO system are designed to describe the clearance of SBO trades in as understandable a manner as possible. The Commission believes that a set of

rules which provide a complete yet concise description of a clearing agency's operation is important to the smooth operation of a clearing agency and prevents unnecessary confusion to participants.

The Commission believes that the changes pertaining to the notification of settlement and cash adjustment promote the prompt and accurate clearance and settlement of securities transactions for which it is responsible. MBSCC's netting system is an effective means to reduce participants' settlement obligations, thereby reducing risk in the marketplace. The changes further the goal of reduced risk by strengthening the SBO system.

The Commission believes MBSCC's post-clearance two-sided settlement notification requirements will improve the efficiency of SBO system operations. The proposal replaces the current procedures, whereby the delivering participant notifies MBSCC of the settlement and, barring the submission of a withhold instruction by either participant, MBSCC deletes the trade from its system. The proposals require better information regarding settlement by requiring both sides of the SBO transaction to submit settlement data, which must agree in all material terms, and provide authority for MBSCC to discipline members who do not submit data on a timely basis or do not resolve disputes arising from that data on a timely basis.³²

The calculation of the cash adjustment is similar to its predecessor, the SBO amortized value adjustment, except for the addition of a broker adjustment and any fines that MBSCC may assess the participant under the rules. These additions will further centralize the payment process by reducing the number of payments a member must make both inside and outside the MBSCC settlement environment. The broker adjustment keeps the broker's compensation tied to the par amount of the securities and eliminates the need for dealers to make a further payment outside MBSCC. The Commission believes that the broker adjustment serves a useful purpose by encouraging the use of MBSCC's SBO system to process broker transactions.

5. Broker Give-Up Trades

The Commission believes that the addition of the broker give-up trade will promote the prompt and accurate clearance and settlement of securities transactions. The broker give-up trade

replaces and builds upon a rule allowing the substitution of dealer participants for a broker participant in a transaction. The broker give-up trade is the codification within MBSCC's rules of an industry practice whereby a broker executes trades for a dealer who wishes to remain anonymous to its trading partner for at least the first few days after making the transaction. The Commission believes that this service will encourage increased use of MBSCC facilities by participants and their customers and therefore is in compliance with the Act.

6. Procedures and PSA Guidelines

The PSA's Guidelines are recognized as the industry's specifications for the clearance and settlement of mortgage-backed securities transactions. MBSCC originally incorporated many of these standards into its rules. These standards are subject to minor changes from time to time, however, and MBSCC is removing them from the rules for greater simplicity. Some changes in the guidelines, however, may be of a significant nature requiring Commission review. The Commission is concerned that those changes may be incorporated by reference to the PSA Guidelines into MBSCC's rules without proper Commission review. Therefore, MBSCC has agreed, by letter, to: (1) Provide the Commission with a current set of the PSA Guidelines, (2) File any changes in the PSA Guidelines with the Commission, and (3) Upon the Commission's request, file any change to the PSA Guidelines with the Commission for approval pursuant to section 19(b) of the Act.³³

IV. Conclusion

The Commission finds that the proposed rule changes (SR-MBSCC-88-19 and SR-MBSCC-89-03) are consistent with the Act, as discussed above.

It is therefore ordered, Pursuant to section 19(b)(2) of the Act, that MBSCC's proposed rule changes (File Nos. SR-MBSCC-88-19 and MBSCC-89-3) be, and hereby are, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90-12606 Filed 5-30-90; 8:45 am]

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²⁹ For further discussions on the decreased risk posed to a clearing agency by brokers acting exclusively as agents for others, see Securities Exchange Release No. 27006 (July 7, 1989), 54 FR 29798.

³⁰ See note 3, *supra*.

³¹ See Securities Exchange Act Release No. 24046 (February 2, 1987), 52 FR 4218, at 4223-4.

³² MBSCC's disciplinary process includes an opportunity for hearings and review. See MBSCC Rules, Article V, Rule 7.

³³ See letter dated October 19, 1989, from J. Craig Long, Secretary, MBSCC, to the Commission.

[Release No. 34-28050; File No. SR-MCC-89-08]

**Self-Regulatory Organizations;
Midwest Clearing Corporation; Order
Approving a Proposed Rule Change
Establishing Processing Procedures
for Value Positions on Mandatory and
Non-Mandatory Reorganizations**

May 24, 1990.

On August 3, 1989, the Midwest Clearing Corporation ("MCC") filed a proposed rule change (SR-MCC-89-08) with the Securities and Exchange Commission ("Commission") pursuant to section 19(b)(3)(A) of the Securities and Exchange Act of 1934 ("Act").¹ Subsequently, MCC filed amendments to the proposal.² The proposal was published for comment on October 25, 1989.³ No comments were received. As discussed below, the Commission is approving the amended proposal.

I. Description of the Proposal

MCC's proposed rule change would implement procedures regarding the processing and status of value positions⁴ in which the issuer of the underlying security is undergoing a reorganization.⁵ The proposal would allow MCC to designate a position as eligible for clearing but "frozen" when Midwest Securities Trust Company ("MSTC") designates an issue as non-transferable because MSTC is unable to obtain certificates in the required denominations to fulfill MSTC

participant (including MCC) demand for physical certificates in those issues.⁶ While an issue is frozen, MCC will not accept new trades or physical deliveries⁷ and MSTC will not accept inter-depository delivery instructions or physical deposits related to the frozen security, unless the movement or delivery is to reduce or eliminate a short value position at MCC. Participant certificate withdrawals will pend until sufficient certificate denominations are available. Once all items are cleared and withdrawn, MCC will change the status of the securities from frozen to ineligible. MCC will communicate with participants to provide updated information regarding the status of any frozen positions.

The proposal also revises MCC's mandatory distribution procedures for handling value positions (long, loan, and short value positions) involving mandatory and non-mandatory reorganization offers. For reorganizations involving a CUSIP number or issuer name change or requiring the surrender of existing securities in exchange for different securities,⁸ MCC will remove the value position in the existing security from each participant's account to an MCC internal processing account by processing a CNS next day settling trade (for no money). MCC will establish the CNS position in the new security in each participant's account by executing a CNS next day settling trade (for no money) to each participant's account from an MCC internal processing account. As a result of this process, a participant that had a value position in the original security will have essentially an identical value position in the new security.⁹ In the event the new

security is not eligible for CNS at MCC,¹⁰ MCC will designate the security eligible in the trade-for-trade system only and remove the value position in the original security from each participant's CNS account and establish each participant's position in the new security as a trade-for-trade position.¹¹ Once a security is designated trade-for-trade only, MCC will not guarantee future items submitted,¹² i.e., future items submitted will be eligible in the trade-for-trade system only, and MCC will not guarantee the trade-for-trade items submitted after the date the security is so designated. MCC, however, will continue to guarantee the trade-for-trade transactions that were compared and reported to participants as items accepted for clearance through MCC's CNS.¹³ The value of the position in the new security will be established at an amount equal to the value of the position in the original security as reflected on the prior business day's Net Position Report.

In all mandatory and non-mandatory reorganization offers that provide for a cash payment to all holders or all accepting holders, MCC will remove the existing value position from a participant's account to an MCC internal processing account by processing a CNS next day settling trade (for no money). MCC will credit the amount of the cash distribution to participants with long and loan value positions and charge

¹⁰ For example, a security would not be eligible for CNS if it did not have a CUSIP number or if the securities were restricted stock, i.e., there are transfer restrictions placed on the securities.

¹¹ When MCC redesignates a position as trade-for-trade, MCC will pair open long and short positions, starting with the oldest long and short positions, until all trade-for-trade positions have been matched.

¹² MCC changes the status of an item from CNS to trade-for-trade eligible so that it may continue to reflect the open long and short positions at MCC until those positions can be eliminated. Once all outstanding short positions are covered, MCC expects to make the security ineligible for clearance and settlement at MCC. Nothing in MCC rules or operating procedures, however, prevents a participant from executing trades in those securities designated as trade-for-trade eligible. Thus, MCC participants may use the trade-for-trade system to clear trades in those securities.

¹³ If the participant's position was originally entered and reported as guaranteed in the CNS System, MCC's existing Trade Guarantee Policy will apply even though the status of the position is in a new security and is redesignated as trade-for-trade. See letter, dated April 6, 1990, from Jeffrey Lewis, Associate Counsel, MCC, to Sonia Burnett, Staff Attorney, Division of Market Regulation, Commission.

As with CNS positions, MCC will continue to monitor and mark-to-the-market any short value positions and pass those marks to participants with long and loan value positions in the trade-for-trade system.

¹ 15 U.S.C. 78s(b)(1) (1989).

² At the request of Commission staff, MCC amended MCC-89-08 as filed pursuant to Section 19(b)(2) of the Act. See letters, dated October 20 and 23, 1989, from Jeffrey Lewis, Associate Counsel, MCC, to Ester Saverson, Branch Chief, Division of Market Regulation, Commission.

³ See Securities Exchange Act Release No. 27380 (October 25, 1989), 54 FR 46172.

⁴ "Value" with respect to a participant's position in a security is reflected in the number of long value positions, loan value positions and short value positions.

A "long value position" in a security is defined as the number of units in a security which a participant is entitled to receive from MCC.

The term "loan value position" is defined as the number of securities owed to a participant as a result of loans by the participant through MCC.

A "short value position" is defined as the number of units in a security that a participant is obligated to deliver to MCC. See MCC Rules, art. I, R. 1.

A "short value position" is defined as the number of units in a security that a participant is obligated to deliver to MCC. See MCC Rules, art. I, R. 1.

⁵ "Reorganization" in this context refers to financial restructuring in which the issuer of existing securities makes an offer to exchange all or part of issued securities for cash or new securities. In non-mandatory reorganizations, shareholders have the option to participate in the exchange offer. In mandatory reorganizations, however, all shareholders must exchange outstanding securities for cash or securities according to the terms of the offer.

⁶ MSTC will designate an issue as "nontransferable" in the event MSTC cannot obtain routine changes in ownership through the issuer's transfer agent, such as when there is a court order prohibiting transfer or when a transfer agent refuses to transfer such securities because of legal or financial concerns, thus, impeding MSTC's ability to obtain certificates in the required denominational breakdown to distribute the security to participants.

⁷ Under MCC Rules, MCC can accept physical deliveries from its participants. If a participant delivers securities to MCC to cover a short position, MCC will deposit those securities in its account at MSTC and allocate the securities to participants with a long position. See MCC Rules, art. III, R. 2 & 4.

⁸ As a courtesy to participants, MCC will notify participants of a reorganization involving a distribution and give participants with a short position an opportunity to deliver securities to cover their short position within five days of the date of the notice.

⁹ Although the participant will have essentially an identical value position in the new security, the quantity, CUSIP or issuer name of the new security may differ from that of previous security.

participants with short value positions for the cash distribution.

In reorganization offers involving non-mandatory distributions, any participant with a long or loan value position in CNS that wants to participate in the tender offer must notify MCC by a liability notice.¹⁴ MCC will notify all participants with short value positions in CNS and the trade-for-trade system to deliver securities to cover their short value positions.¹⁵ If sufficient securities are surrendered, the liability notice will be rescinded. Pursuant to the call, MCC will accept delivery of securities, up to the amount needed to cover the long and loan value positions of participants that issued liability notices. If sufficient securities are not delivered to MCC to cover the liability notice, MCC will notify the participant issuing the liability notice that it may buy-in the new securities to cover the long or loan value position subject to the liability notice. MCC will pass through the reported buy-in costs to participants with open short value positions in CNS.¹⁶ If the non-mandatory distribution is for cash, MCC will follow the procedures for a mandatory cash distribution and reduce the long and loan value positions of participants that issued liability notices and reduce an equal number of short value positions from participants that hold such positions and credit those participants with long or loan value positions with the cash and charge the participants with short value positions for the cash distribution.

If the distribution involves fractional shares or baby bonds, MCC will distribute whatever the transfer agent delivers to MSTC and MSTC allocates to MCC. If fractional shares or baby bonds are delivered to MCC, MCC will distribute fractional shares or baby bonds. If cash, in lieu of the fractional shares or baby bonds, is delivered to MCC, MCC will credit participants with short value positions and debit participants with long or loan value positions for the value of the fractional shares or baby bonds. MCC will charge short participants and credit long participants for the amount of the cash distribution.

¹⁴ The liability notice is similar to a buy-in notice, in that a participant with a long or loan value position makes a demand to MCC for delivery of securities to the participant's account so that the participant may participate in the tender or exchange offer.

¹⁵ Because of the limited time frame for tendering securities, MCC, instead of allocating securities to a short position under the buy-in rules, issues a call to all participants holding short positions.

¹⁶ MCC will pass-through the cost of buying the security in descending order, starting with the oldest short position.

The proposal revises MCC's future cash and liquidation distribution procedures for handling value positions involving reorganization offers. With regard to non-mandatory reorganization offers involving the potential distribution of a presently unknown cash amount, a participant with a long or loan value position must submit a liability notice.¹⁷ MCC will reduce a participant's CNS value position in the original security by processing a CNS next day settling trade (for no money) versus an MCC internal processing account. MCC will establish a corresponding short, long, or loan value position in an MCC derived CUSIP (also known as a contra CUSIP) in the participant's account by processing a CNS next day settling trade (for no money) versus an MCC internal processing account. The participant's value position in the MCC derived CUSIP will remain until such time as the future cash distribution is made to MCC. At that time, MCC will credit the participants with long or loan value positions and charge participants with short value positions for the terms of the offering and eliminate participants' value positions in that security.

For those securities undergoing liquidation (*i.e.*, a mandatory cash offering), MCC will clear the participant's CNS value position in the original security by processing a CNS next day settling trade (for no money) versus the MCC internal processing account. MCC will designate the liquidating security as eligible for trade-for-trade only and will establish the participant's value position in the security as a trade-for-trade position. The value of the position will be established at an amount equal to the value of the position as reflected on the prior business day's Net Position Report. As MCC receives liquidation payments, MCC will credit all participants with long or loan value positions in the security with the cash payment and charge the participants with short value positions for the cash. MCC also will mark-to-the-market these trade-for-trade value positions as each liquidation payment is made. Once MCC receives the final liquidation payment, MCC will eliminate participants' value positions in the security and make the security ineligible for clearing at MCC.¹⁸

¹⁷ See, *supra*, n. 12.

¹⁸ MCC may receive several liquidation payments involving the same security, so MCC will not eliminate the value positions until it receives notification from the issuer or trustee that the final payment has been received.

II. MCC's Rationale

MCC believes that the proposed rule change is consistent with Section 17A of the Act. Specifically, MCC believes that the proposed rule change promotes the prompt and accurate clearance and settlement of securities value positions involved in reorganizations.

III. Discussion

The Commission believes MCC's proposal implementing special procedures for issues involved in reorganizations is consistent with section 17A of the Act. Specifically, when MCC cannot assure transferability of the securities, MCC will freeze participants' positions, in order to minimize the risk that participants will be unable to deliver securities or MSTC will be unable to deliver to participants securities involved in a reorganization, until those securities are transferable.¹⁹ The Commission believes the proposed procedure minimizes liability exposure by protecting parties to the clearing process from potential losses resulting from inability to deliver the securities until the transferability issue is resolved and, thus, facilitates the safeguarding of securities and funds consistent with the Act.

For securities involved in a reorganization offering that are not CNS eligible, MCC will designate those securities as eligible in the trade-for-trade system only. In addition, MCC, by extending its trade guarantee policy to cover transactions in securities subject to reorganizations that have been transferred to the trade-for-trade system, MCC will continue to offer members reduced counterparty credit risk. To protect against the financial exposure from this guarantee, consistent with its obligation to safeguard securities and funds, MCC will mark-to-the-market all open positions in the trade-for-trade system. Thus, the Commission believes that MCC's proposal promotes prompt and accurate clearance and settlement by maintaining securities involved in reorganization offerings within the clearing system to the maximum extent possible while managing the risk associated with processing those trades.

Finally, the Commission believes the proposal is consistent with MSTC's procedures regarding processing withdrawal requests for issues that are the subject of judicial proceedings, and MCC's buy-in liability,²⁰ and thereby

¹⁹ See Securities Exchange Act Release No. 27115 (August 9, 1989), 54 FR 33992.

²⁰ *Id.*

promotes uniform standards for clearance and settlement of securities transactions consistent with the Act.

IV. Conclusion

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change (SR-MCC-89-08) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 90-12607 Filed 5-30-90; 8:45 am]

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Self-Regulatory Organizations; Midwest Stock Exchange, Inc.; Application for Unlisted Trading Privileges in an Over-the-Counter Issue and Application To Withdraw Unlisted Trading Privileges in an Over- the-Counter Issue

May 23, 1990.

On May 15, 1990, the Midwest Stock Exchange, Inc. ("MSE") submitted an application for unlisted trading privileges ("UTP") pursuant to section 12(f)(1)(C) of the Securities Exchange Act of 1934 ("Act") in the following over-the-counter ("OTC") security, *i.e.*, security not registered under section 12(b) of the Act;

File no.	Symbol	Issuer
7-5941	CNNR.....	Conner Peripherals, Inc.; No Par Value

The MSE also applied to withdraw UTP pursuant to section 12(f)(4) of the Act on the following issue:

File no.	Symbol	Issuer
7-5942	CHPS.....	Chips & Technologies, Inc.; \$.01 Par Value.

In the case of Chips & Technologies, Inc., a replacement issue is being requested due to extremely low volume.

Comments

Interested persons are invited to submit on or before June 15, 1990, written comments, data, views and arguments concerning this application. Persons desiring to make written comments should file three copies with the Secretary, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Commentators

are asked to address whether they believe the requested grant of UTP would be consistent with section 12(f)(2), which requires that, in considering an application for extension of UTP in OTC securities, the Commission must consider, among other matters, the public trading activity in such security, the character of such trading, the impact of such extension on the existing markets for such securities, and the desirability of removing impediments to and the progress that has been made toward the development of a national market system.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 90-12610 Filed 5-31-90; 8:45 am]

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[Release No. 34-28035; File No. SR-PSE-90-17]

Self-Regulatory Organizations; Filing of Proposed Rule Change by the Pacific Stock Exchange, Inc. Relating to Its Lead Market Maker System

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on April 27, 1990, the Pacific Stock Exchange ("PSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization.¹ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend PSE Rule VI, section 88, as set forth below. (Brackets indicate language to be deleted; italics indicate new language.)

Rule VI, Section 38

Lead Market Maker System Pilot Program

(a) through (b)(3)(ii) No change.
(b)(3)(iii) Upon a final determination, the Committee shall specify whether an LMM appointment is an individual or as

a member organization. Appointments as a member organization must include specified nominees. The Committee may also specify any one or more conditions on the appointment in respect to any representations made in the application process, including but not limited to capital, operations, personnel, or technical resources. [The final determination shall also include transaction volume levels that if attained, will subject the issue to a possible reassignment to the market maker system pursuant to subsection (b)(7).] *Subsequent to an appointment of an issue to an LMM, the issue may be reassigned to the market maker system, pursuant to Subsection (b)(7), once trading volume in the issue reaches an average daily volume of 3,000 contracts at the Exchange for four consecutive months, immediately preceded by an Exchange average of 75% of the total multi-exchange trading volume for three consecutive months.*

(b)(4)(iv) through (6) No change.

(b)(7)(i) If average daily contract and multi-exchange transaction volume [over the previous quarter] exceeds levels previously established, pursuant to subsection (b)(3) above, by the Committee warranting discontinuance of the LMM in that class (or classes). An LMM so affected shall be required to terminate his appointment ten (10) days subsequent to written notice from the Exchange. This termination shall not take effect during expiration week but shall begin the first business day following expiration week.

(b)(8) through (10)(c)(5) No change.

(b)(10)(c)(6) the LMM shall be allocated [20%] 50% participation in transactions occurring on his disseminated bids and offers in his appointed issue(s). LMM participation may be greater than [20%] 50% as a result of successful competition by means of "public outcry." The LMM at his own discretion may direct his participation to competing public orders in the crowd. Public orders placed in the book will take priority pursuant to Exchange rules. Oversight and enforcement shall be the responsibility of the OBO.

(b)(10)(c)(7) through Commentary .05 No change.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received

¹ The proposed rule change originally was filed as Amendment No. 2 to File No. SR-PSE-89-27, but because PSE 89-27 was approved in January 1990 the PSE redesignated it as File No. SR-PSE-90-17. See letter from David P. Semak, Vice President, PSE, to Thomas Gira, Branch Chief, Options Regulation, Commission, dated April 30, 1990.

on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B) and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose for the proposed rule change is to encourage participation in the Exchange's Lead Market Maker ("LMM") program. At present, the LMM is guaranteed only 20% participation in transactions occurring on his disseminated bids and offers in the appointed issue(s). The Exchange believes that such a percentage is not sufficient to generate support from prospective LMM applicants, and therefore proposes to increase participation to a guaranteed 50%.

In addition, the proposed rule change specifically delineates the precise volume conditions under which an LMM issue may be converted to the market maker system. The purpose for such change is to protect the LMMs by establishing that issues may not be prematurely reassigned, and, conversely, to protect the market makers by establishing that, if the conditions are met, trading of the issue under the market maker system may be re-implemented. The Exchange further believes that since these volume requirements will protect the LMMs, they are appropriate to further competition among the exchanges in multiply traded issues.

(B) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

The LMM system pilot program is the result of extensive discussions generated from the Multiple Trading Subcommittee, the Options Floor Trading Committee and a group representing pit traders.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the *Federal Register* or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to File No. SR-PSE 90-17 and should be submitted by June 21, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²

Dated: May 22, 1990.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 90-12608 Filed 5-30-90; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-28036; Filed No. SR-PSE-90-20]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Pacific Stock Exchange, Inc. Relating to the Trading of Warrants on the Deutscher Aktienindex

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on May 10, 1990, the Pacific Stock Exchange ("PSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to

solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The PSE proposes to list and trade warrants based on the Deutscher Aktienindex ("DAX").

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in section (A), (B) and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The DAX is an internationally recognized, capitalization-weighted index consisting of 30 highly capitalized and actively traded stocks on the Frankfurt Stock Exchange. The DAX is calculated and disseminated by the Frankfurt Stock Exchange. Any changes in the composition of the DAX are made by the Frankfurt Stock Exchange in consultation with the Federation of German Stock Exchanges and the *Börsen-Zeitung*.

Such warrant issues will conform to PSE listing guidelines as proposed in proposed rule filing SR-PSE-90-11.¹ The proposed guidelines provide that (1) the issuer shall have assets in excess of \$100,000,000 and otherwise substantially exceed the size and earnings requirements specified in PSE listing requirements; (2) the term of the warrants shall be for a period ranging from one to five years from the date of issuance; and (3) the minimum public distribution of such issues shall be 1,000,000 warrants together with a minimum of 400 public holders, and have an aggregate market value of \$4,000,000.

DAX index warrants will be direct obligations of their issuer subject to cash settlement during their term, and

¹ As of the date of this release, SR-PSE-90-11 has not been approved by the Commission. Approval of SR-PSE-90-11 must occur before approval of the proposal to list warrants based on the DAX.

² 17 CFR 200.30-3(a)(12) (1990).

either exercisable throughout their life (*i.e.*, American style) or exercisable only on their expiration date (*i.e.*, European style). Upon exercise, or at the warrant expiration date (if not exercisable prior to such date), the holder of a warrant structured as a put option would receive payment in U.S. dollars to the extent that the DAX has declined below a pre-stated cash-settlement value. Conversely, holders of a warrant structured as a call option would, upon exercise or at expiration, receive payment in U.S. dollars to the extent that the DAX has increased above the pre-stated cash-settlement value. If "out-of-the-money" at the time of expiration, the warrants would expire worthless.

In SR-PSE-90-11, the PSE proposed suitability standards applicable to recommendations to customers of index warrants and transactions in customer accounts. The proposed amendment to Exchange Rule X, section 18(c) will make the options suitability standards applicable to recommendations regarding index warrants. The Exchange also recommends that index warrants be sold only to options-approved accounts. The proposed amendment to Exchange Rule X, section 18(e)(1) will require a Senior Registered Options Principal or a Registered Options Principal to approve and initial a discretionary order in index warrants on the day the order is entered. In addition, the PSE, prior to the commencement of trading, will distribute a circular to its membership calling attention to specific risks associated with warrants on the DAX.

The PSE will ensure that there will be an adequate mechanism for the sharing of surveillance information with respect to the DAX's component stocks (*i.e.*, the sharing of surveillance information between the PSE and the exchange on which the index's component stocks are traded).

The PSE believes that the proposed rule change is consistent with the requirements of the Act, and, in particular, section 6(b)(5), as the warrants are designed to prevent fraudulent and manipulative acts and practices and to promote just an equitable principles of trade, and are not designed to permit unfair discrimination between customers, issuers, brokers or dealers.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposed rule change will impose no burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the *Federal Register* or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

- (a) By order approve such proposed rule change, or
- (b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to File No. SR-PSE 90-20 and should be submitted by June 21, 1990.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²

Dated: May 22, 1990.
Margaret H. McFarland,
Deputy Secretary.
[FR Doc. 90-12609 Filed 5-30-90; 8:45 am]
BILLING CODE 8010-01-M

² 17 CFR 200.30-3(a)(12) (1990).

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area #2419 and 2420]

Oklahoma (and contiguous counties in the State of Texas); Declaration of Disaster Loan Area

Ellis County and the contiguous Counties of Beaver, Dewey, Harper, Roger Mills, and Woodward in the State of Oklahoma, and Hemphill and Lipscomb in the State of Texas constitute a disaster area as a result of damages from a tornado which occurred April 24, 1990. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on July 2, 1990 and for economic injury applications until the close of business on February 4, 1991 at the address listed below:

Disaster Area 3 Office, Small Business Administration, 4400 Amon Carter Blvd., suite 102, Ft. Worth, TX 76155 or other locally announced locations. The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere.....	8.000
Homeowners without credit available elsewhere.....	4.000
Businesses with credit available elsewhere.....	8.000
Businesses and non-profit organizations without credit available elsewhere.....	4.000
Others (including non-profit Organizations) with credit available elsewhere.....	9.250
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere.....	4.000

The number assigned to this disaster for physical damage in Oklahoma is 241912 and for economic injury the number is 706100. In Texas the physical number is 242012 and for economic injury the number is 706200.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: May 3, 1990.
Katherine Bulow,
Acting Administrator.
[FR Doc. 90-12564 Filed 5-30-90; 8:45 am]
BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #2421]

Texas, Declaration of Disaster Loan Area

As a result of the President's major disaster declaration on May 2, 1990, and an amendment on May 4, I find that the

Counties of Bosque, Brown, Collin, Comanche, Cooke, Dallas, Denton, Eastland, Erath, Hill, Limestone, Palo Pinto, Parker, Tarrant, Wharton and Wise are a disaster area as a result of damages caused by severe storms, flooding and tornadoes beginning on April 24, 1990. Applications for loans for physical damage may be filed until the close of business on July 1, 1990, and for loans for economic injury until the close of business on February 4, 1991, at the address listed below:

Disaster Area 2 Office, Small Business Administration, 4400 Amon Carter Blvd., suite 102, Ft. Worth, TX 76155.

For other locally announced locations. In addition, applications for economic injury loans from small business located in the contiguous counties of Austin, Brazoria, Callahan, Coleman, Colorado, Coryell, Ellis, Falls, Fannin, Fort Bend, Freestone, Grayson, Hamilton, Hood, Hunt, Jack, Jackson, Johnson, Kaufman, Leon, Matagorda, McClennan, McCulloch, Mills, Montague, Navarro, Robertson, Rockwall, San Saba, Shackelford, Somervell, Stephens, and Young in the State of Texas and Love and Marshall Counties in the State of Oklahoma may be filed until the specified date at the above location.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere.....	8.000
Homeowners without credit available elsewhere.....	4.000
Businesses with credit available elsewhere.....	8.000
Businesses and non-profit organizations without credit available elsewhere.....	4.000
Others (including non-profit organizations) with credit available elsewhere.....	9.250
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere.....	4.000

The number assigned to this disaster for physical damage for the State of Texas is 242106, and for economic injury the number is 706300. The economic injury number for the State of Oklahoma is 706400.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008).

Dated: May 5, 1990.

Bernard Kulik,
Deputy Associate Administrator For Disaster Assistance.

[FR Doc. 90-12565 Filed 5-30-90; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #2418]

Texas; Declaration of Disaster Loan Area

Dallas County and the contiguous Counties of Collin, Denton, Ellis, Johnson, Kaufman, Rockwall, and Tarrant in the State of Texas constitute a disaster area as a result of damages from heavy rains and flooding which occurred April 15-16, 1990. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on June 29, 1990 and for economic injury until the close of business on January 30, 1991 at the address listed below:

Disaster Area 3 Office, Small Business Administration, 4400 Amon Carter Blvd., suite 102, Fort Worth, TX 76155. or other locally announced locations. The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere.....	8.000
Homeowners without credit available elsewhere.....	4.000
Businesses with credit available elsewhere.....	8.000
Businesses and non-profit organizations without credit available elsewhere.....	4.000
Others (including non-profit organizations) with credit available elsewhere.....	9.250
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere.....	4.000

The number assigned to this disaster for physical damage is 241806 and for economic injury the number is 706000.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: April 30, 1990.

Katherine Bulow,
Acting Administrator.

[FR Doc. 90-12566 Filed 5-30-90; 8:45 am]

BILLING CODE 8025-01-M

[License No. 05/05-0114]

Frontenac Capital Corp.; License Surrender

Notice is hereby given that Frontenac Capital Corporation, 208 South LaSalle Street, Room 1900, Chicago, Illinois 60604 has surrendered its license to operate as a small business investment company under section 301(c) of the Small Business Investment Act of 1958, as amended (the Act). Frontenac Capital Corporation was licensed by the Small Business Administration on December 29, 1976.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender of the license was accepted on April 5, 1990, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: May 17, 1990.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 90-12567 Filed 5-30-90; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0310]

Vista Capital Corp.; License Surrender

Notice is hereby given that Vista Capital Corporation, 9919 Via Pasar, San Diego, California 92126, has surrendered its license to operate as a small business investment company under section 301(c) of the Small Business Investment Act of 1958, as amended (the Act). Vista Capital Corporation was licensed by the Small Business Administration on February 2, 1983.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender of the license was accepted on April 9, 1990, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: May 17, 1990.

Robert G. Lineberry,
Deputy Associate Administrator for Investment.

[FR Doc. 90-12568 Filed 5-30-90; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: May 24, 1990.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed

and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

Comptroller of the Currency

OMB Number: 1557-0081.

Form Number: FFIEC 031-034.

Type of Review: Revision.

Title: Reports of Condition and Income (Interagency Call Report).

Description: Reports are filed pursuant to 12 U.S.C. 161, and 1823(j). Data are used to monitor the financial condition and earnings performance of individual banks as well as the entire banking industry. Data are also used for research, program planning, and OCC publications.

Respondents: Businesses or other for-profit, Small businesses or organizations.

Estimated Number of Respondents: 4,400.

Estimated Burden Hours Per Respondent: 1 hour.

Frequency of Response: Survey (On occasion); Interagency Call Report (Quarterly).

Estimated Total Reporting Burden: 587,840 hours.

OMB Number: 1557-0099.

Form Number: FFIEC 030.

Type of Review: Extension.

Title: Foreign Branch Report of Condition.

Description: This report is the only report collected from all foreign branches of U.S. commercial banks. It provides information on the structure and geographic distribution of foreign branch assets and liabilities. The information is used to analyze foreign operations of U.S. banks and to plan examinations. Aggregate data is available to the public.

Respondents: Businesses or other for-profit.

Estimated Number of Respondents: 770.

Estimated Burden Hours Per Respondent: 2 hours.

Frequency of Response: Annually.

Estimated Total Reporting Burden: 1,540 hours.

Clearance Officer: John Ference (202) 447-1177, Comptroller of the Currency, 5th Floor, L'Enfant Plaza, Washington, DC 20219.

OMB Reviewer: Gary Waxman (202) 395-7340, Office of Management and Budget, room 3208, New Executive Office Building, Washington, DC 20503. Lois K. Holland,

Departmental Reports, Management Office. [FR Doc. 90-12516 Filed 5-30-90; 8:45 am]

BILLING CODE 4810-33-M

Public Information Collection Requirements Submitted to OMB for Review

Date: May 24, 1990.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515-0010.

Form Number: CF 5119-A.

Type of Review: Extension.

Title: Informal entry.

Description: The information is used for entering certain commercial and non-commercial merchandise informally into the commerce of the U.S., eliminating the need for a bond or surety.

Respondents: Individuals or households, Businesses or other for-profit.

Estimated Number of Respondents: 17,000.

Estimated Burden Hours Per Response: 10 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 56,668 hours.

Clearance Officer: Dennis Dore (202) 535-9267, U.S. Customs Service, Paperwork Management Branch, room 6316, 1301 Constitution Avenue, NW., Washington, DC 20229.

OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503. Lois K. Holland,

Departmental Reports Management Officer. [FR Doc. 90-12514 Filed 5-30-90; 8:45 am]

BILLING CODE 4820-02-M

Public Information Collection Requirements Submitted to OMB for Review

Date: May 24, 1990.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance

Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, room 2224, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515-0174.

Form Number: CF None.

Type of Review: Extension.

Title: Electronic Entry Filing.

Description: This proposed rule will permit qualified brokers, importers and service bureaus to file electronically through ABI immediate delivery/entry and entry summary data.

Respondents: Businesses or other for-profit.

Estimated Number of Respondents/Recordkeepers: 1,200.

Estimated Burden Hours Per Response/Recordkeeping: 4 hrs., 10 min.

Frequency of Response/Recordkeeping: On occasion.

Estimated Total Reporting/Recordkeeping Burden: 7,500 hours.

Clearance Officer: Dennis Dore (202) 535-9267, U.S. Customs Service, Paperwork Management Branch, room 6316, 1301 Constitution Avenue, NW., Washington, DC 20229.

OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer. [FR Doc. 90-12515 Filed 5-30-90; 8:45 am]

BILLING CODE 4820-02-M

Customs Service

[T.D. 90-43]

Revocation by Action of Law of the Customs Broker Permit for U.S. Brokers (BTV), Inc., in the Ogdensburg Customs District

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: General notice.

SUMMARY: Notice is hereby given that on May 15, 1990, pursuant to section 641(c)(3), Tariff Act of 1930, as amended (19 U.S.C. 1641(c)(3)), and Part 111.45 of the Customs Regulations, as amended (19 CFR 111.45), the permit for U.S. Brokers (BTV), Inc., to conduct Customs business in the Ogdensburg District was revoked.

Dated: May 17, 1990.
 Victor G. Weeren,
 Director, Office of Trade Operations.

[FR Doc. 90-12509 Filed 5-30-90; 8:45 am]
 BILLING CODE 4820-02-M

DEPARTMENT OF VETERANS

Privacy Act of 1974; New System of Records

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

The Privacy Act of 1974 (5 U.S.C. 552a (e)(4)) requires that all agencies publish in the *Federal Register* a notice of the existence and character of their systems of records. Notice is hereby given that the Department of Veterans Affairs is adding a new system of records entitled "Integrated Data Communications Utility Network Management Data Base" (78VA30).

The purpose of the new system of records is to collect, store and retrieve information to verify that users of VA's Integrated Data Communications Utility (IDCU) are authorized to access the IDCU or its network management resources. This information will be used to protect the IDCU, a wide-area data communications network, its network management resources, and other systems that are served by the IDCU from intrusion and misuse by unauthorized individuals. The system will contain hard copy and magnetic media storage of names, job titles and VA identification numbers or social security numbers, office addresses and phone numbers, unique IDCU identifiers that identify the individual, and user profile information relating to the individual's access authorizations and restrictions when using the IDCU or its network management resources. These data will be used to verify that an individual is authorized to access the IDCU or IDCU network management resources and to maintain an audit trail on successful and unsuccessful attempts to access the IDCU or IDCU network management resources.

A "Report of Intention to Publish a *Federal Register* notice of New System of Records" and an advance copy of the new system notice have been provided to the Chairmen of the House Committee on Government Operations and the Senate Committee on Governmental Affairs, and the Director, Office of Management and Budget (OMB), as required by the provisions of 5 U.S.C. 552a(r) (Privacy Act), guidelines issued

by OMB (50 FR 52730), December 24, 1985, and Pub. L. 100-503.

Release of information from these records will only be made in accordance with the provisions of the Privacy Act of 1974 for investigatory, judicial, and administrative uses as listed in the body of this notice. VA has determined that release of information for these purposes is a necessary and proper use of information in this system of records and that specific routine uses for transfer of this information are appropriate.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed system of records to the Secretary of Veterans Affairs (30), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC, 20420. All relevant material received before July 2, 1990, will be considered. All written comments received will be available for public inspection in Room 132 of the above address only between 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays) until July 10, 1990.

If no public comment is received during the 30-day review period allowed for public comment, or unless otherwise published in the *Federal Register* by Department of Veterans Affairs, the routine use statements included herein, are effective July 2, 1990.

Approved: May 21, 1990.
 Edward J. Derwinski,
 Secretary.

Notice of System of Records

78VA30

SYSTEM NAME:

Integrated Data Communications Utility Network Management Data Base.

SYSTEM LOCATION:

Hard copy and magnetic media records will be maintained by the Deputy Assistant Secretary for Information Resources Operations, Directorate for Telecommunications, Advanced Network Service, IDCU Network Service Center, 205 N. King Street, Martinsburg, West Virginia.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have been authorized to access the IDCU or the network management resources of the IDCU.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records (or information contained in the records) may include: (1) Names of individuals who have been granted permission to access the Integrated Data Communications Utility (IDCU) or its network management resources; (2) the

individual's job title and Department of Veterans Affairs identification number or Social Security Number; (3) the individual's office address and phone number; (4) a unique IDCU identifier which identifies the specific individual; and (5) user profile information relating to the individual's access authorizations and restrictions when using the IDCU or its network management resources.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

National Security Decision Directive 145, National Policy on Telecommunications and Automated Information Systems Security; and the Department of Defense Standard 5200.28, Department of Defense Trusted Computer System Evaluation Criteria and Title 38, United States Code, 210(c).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. By IDCU management and security personnel to verify that an individual is authorized to access the IDCU or IDCU network management resources.
2. By IDCU management and security personnel to maintain an audit trail or successful and unsuccessful attempts to access the IDCU and IDCU network management resources.
3. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.
4. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
5. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.
6. By the National Archives and Records Administration in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.
7. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Paper records and records on magnetic media will be maintained in the IDCU Network Service Center in Martinsburg, West Virginia.

RETRIEVABILITY:

Paper records will be indexed in alphabetical order by the last name of the individual who has requested authority to access the IDCU. Access to the automated system is via computer terminal. Security precautions are used to limit access to authorized personnel only on a need-to-know basis.

SAFEGUARDS:

Safeguards include both physical and system security measures. These measures will meet or exceed those required to provide an adequate level of protection for host systems to meet level C2 security as defined by the

Department of Defense Trusted Computer System Evaluation Criteria (DOD 5200.28-STD). The IDCU Service Center will operate and enforce the safeguards 24 hours a day, seven days a week.

RETENTION AND DISPOSAL:

Records will be maintained and disposed of in accordance with the records disposal authority approved by the Archivist of the United States.

SYSTEM MANAGER AND ADDRESS:

Deputy Assistant Secretary for Information Resources Operations (30), VA Central Office, Washington, DC 20420.

NOTIFICATION PROCEDURE:

An individual who wishes to determine whether a record is being maintained by the Office of the Deputy Assistant Secretary for Information Resources Operations under his or her name or other personal identifier or who wants to determine the contents of such

records should submit a written request or apply in person to the Office of the Deputy Assistant Secretary for Information Resources Operations.

RECORD ACCESS PROCEDURES:

An individual who seeks access or wishes to contest records maintained under his or her name or other personal identifier may write, call or visit the Office of the Deputy Assistant Secretary for Information Resources Operations.

CONTESTING RECORD PROCEDURES:

(See Record Access Procedures above.)

RECORD SOURCE CATEGORIES:

(1) Individuals who have applied for access permissions to the IDCU or its network management resources; and (2) organizational lists of individual names that have been submitted to obtain access permissions to the IDCU and IDCU network management resources.

[FR Doc. 90-12505 Filed 5-30-90; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 55, No. 105

Thursday, May 31, 1990

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

FEDERAL ELECTION COMMISSION

DATE AND TIME: Tuesday, June 5, 1990, 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration. Internal personnel rules and procedures or matters affecting a particular employee.

DATE AND TIME: Thursday, June 7, 1990, 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC (ninth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Correction and Approval of Minutes
Draft Advisory Opinions

1990-7 Mr. Maxwell A. Snead, Jr. on behalf of Schroeder Fund for the Future, Inc.

1990-8 Mr. R. Todd Johnson on behalf of The CIT Group Holdings, Inc.
Proposed letter to Department of Treasury Regarding Shortage in the Public Financing Fund
Administrative Matters

PERSON TO CONTACT FOR INFORMATION:

Mr. Fred Eiland, Press Officer,
Telephone: (202) 376-3155.

Hilda Arnold,

Administrative Assistant, Office of the Secretariat.

[FR Doc. 90-12780 Filed 5-29-90; 3:52 pm]

BILLING CODE 6715-01-M

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: 11:00 a.m., Monday, June 4, 1990.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposed repairs to the William McChesney Martin Building.

2. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

3. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: May 25, 1990.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 90-12659 Filed 5-25-90; 4:28 pm]

BILLING CODE 6210-01-M

INTERSTATE COMMERCE COMMISSION

Commission Voting Conference

TIME AND DATE: 10 a.m., Tuesday, June 5, 1990.

PLACE: Hearing Room A, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, DC 20423.

STATUS: The purpose of the conference is for the Commission to discuss among themselves, and to vote on, the agenda item. Although the conference is open for the public observation, no public participation is permitted.

MATTERS TO BE DISCUSSED:

Finance Docket No. 31246, *Louisiana Railcar v. Missouri Pacific Railroad Company*

Finance Docket No. 31599 (Sub-No. 2), *Burlington Northern Railroad Company—Connector Track Construction—Near Waltonville in Jefferson County, IL*

Ex Parte No. 274 (Sub-No. 13A), *Rail Abandonment—National Trails System Improvements Act*

Ex Parte No. 481, *In the Matter of Doyle G. Owens*

NOM 39952, *General Increase, New England Motor Rate Bureau*

No. MC-C-30168, *Puerto Rico Maritime Shipping Authority and PRMMI Trucking, Inc.—Petition for Declaratory Order*

No. MC-220973, *Victory Express, Inc., Contract Carrier Application*

CONTACT PERSON FOR MORE INFORMATION:

A. Dennis Watson, Office of Government and Public Affairs, Telephone: (202) 275-7252.

Noreta R. McGee,

Secretary.

[FR Doc. 90-12710 Filed 5-29; 12:53 pm]

BILLING CODE 7035-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

TIME AND DATE: 9:30 a.m., Tuesday, June 5, 1990.

PLACE: Board Room 812A, Eighth Floor, 800 Independence Avenue SW., Washington, DC 20594.

STATUS: The first item is open to the public. The last two items are closed under Exemption 10 of the Government in the Sunshine Act.

MATTERS TO BE CONSIDERED:

1. Highway Accident Report: Collapse of Northbound U.S. 51 Bridge Spans Over the Hatchie River, Covington, Tennessee, April 1, 1990.

2. Opinion and Order: *Administrator v. Hernandez*, Docket SE-8692; disposition of respondent's appeal.

3. Opinion and Order: *Administrator v. Spradlin*, Docket SE-9363; disposition of Administrator's appeal.

News Media Please Contact Melba Moye (202) 382-6600.

FOR MORE INFORMATION CONTACT:

Bea Hardesty (202) 382-6525.

Dated: May 25, 1990.

Bea Hardesty,

Federal Register Liaison Officer.

[FR Doc. 90-12703 Filed 5-29; 12:01 pm]

BILLING CODE 7533-01-M

42 CFR Part 431

Thursday
May 31, 1990

Part II

Department of Health and Human Services

Health Care Financing Administration

42 CFR Part 431

Medicaid Program; Medicaid Eligibility
Quality Control (MEQC) Program
Requirements; Final Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 431

[BQC-21-FC]

RIN 0938-AB85

Medicaid Program; Medicaid Eligibility Quality Control (MEQC) Program Requirements

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule with comment period.

SUMMARY: This rule revises the regulations governing the Medicaid eligibility quality control (MEQC) program to include more specific program requirements and to establish new timeframes for completing and reporting MEQC case findings to HCFA. The rule also establishes a performance-based threshold for States to meet before HCFA will consider good faith waiver requests of disallowance of Federal financial participation (FFP) in erroneous Medicaid payments and provides more definitive criteria for evaluating States' good faith efforts to meet the national standard error rate.

In addition, the rule makes several technical changes and provides that a State may rebut its projected error rate only when it can present evidence that its projected error rate was based on erroneous data.

These revisions will strengthen the basic MEQC program and provide flexibility and incentives to States to produce accurate Medicaid eligibility determinations.

DATES: These regulations are effective on July 1, 1990 and will apply to the first review and sampling period beginning on or after July 1, 1990 and periods thereafter.

Comments on the Department's provisional decision not to publish regulations as a result of the COBRA studies must be mailed or delivered to the appropriate address, as provided below, and must be received by 5 p.m. on July 2, 1990.

ADDRESSES: Address comments in writing to:

Health Care Financing Administration,
Department of Health and Human
Services, Attention: BQC-21-FC, P.O.
Box 26676, Baltimore, Maryland 21201.

If you prefer, you may deliver your comments to one of the following locations:

Room 309-G, Hubert H. Humphrey
Building, 200 Independence Ave., SW.,
Washington, DC, or,

Room 132, East High Rise Building, 6325
Security Boulevard, Baltimore,
Maryland.

Due to staffing and resource limitations, we cannot accept facsimile (FAX) copies of comments.

In commenting, please refer to file code BQC-21-FC. Comments will be available for public inspection as they are received, beginning approximately 3 weeks after publication, in room 309-G of the Departmental offices at 200 Independence Avenue SW., Washington, DC, on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (202-245-7890).

FOR FURTHER INFORMATION CONTACT:
Kathy Rama, 301-966-5929.

SUPPLEMENTARY INFORMATION:

Background

The Medicaid eligibility quality control (MEQC) program is designed to reduce erroneous expenditures in medical assistance payments by monitoring eligibility determinations. Under the program, a State is required to select a sample of Medicaid cases every month during 6-month sampling periods of April-September and October-March to review for accurate eligibility determinations. HCFA then re-reviews a subsample of the cases selected by the State to verify the State's findings. Annually, HCFA calculates a State's payment error rate on the basis of a combination of these State and Federal findings from the two 6-month periods. If a State fails to complete a valid review for any sampling period, HCFA assigns the State an error rate based on either a special sample or audit, the Federal subsample, or other arrangements. If the error rate established is above the national standard of 3 percent, established under section 1903(u) of the Social Security Act, Federal financial participation (FFP) in the excessive erroneous Medicaid payments is disallowed. However, HCFA is allowed to waive all or part of the disallowance if the State demonstrates that it was unable to meet the 3-percent national standard despite a good faith effort or because of special circumstances such as fire, flood, or civil disorders.

Section 1903(u) of the Act also provides for prospective withholding from a State's quarterly grant of FFP based on the error rate projection. Technical errors and payments made for services provided to any individual whose eligibility is determined by the Social Security Administration under section 1634 of the Act are excluded from a State's error rate calculations.

The basic program requirements, conditions, and procedures under which a State must conduct MEQC reviews, and the conditions under which disallowances are taken if error rates are above the 3-percent national standard, are contained in regulations under 42 CFR part 431, subpart P.

On January 26, 1987, we published in the Federal Register a notice of proposed rulemaking (NPRM) to revise these regulations to incorporate sampling, review, and reporting procedures under the MEQC program, modify the criteria for evaluating requests for waivers of disallowances of FFP based on the State's good faith efforts, and limit the circumstances under which a State can rebut projected quarterly error rates. The proposal was intended to improve administrative efficiency and provide administrative ease for the States and the Federal Government and to strengthen the MEQC program. We received 51 pieces of correspondence from State and local welfare and health agencies and the State Medicaid Directors' Association on the NPRM. The discussion that follows describes the provisions of the January 1987 NPRM, the public comments received and our responses, and the provisions of the final regulations.

General Comments

A majority of the commenters supported a strengthened quality control program. However, they all did not agree that the revisions to the regulations provide flexibility and administrative ease. Rather some contended that the revisions would reduce the States' ability to control errors through increased costs and resources necessary to implement the requirements. Thirty-six of the commenters questioned the appropriateness of revising the regulations during the quality control studies that were being conducted by this Department and the National Academy of Sciences as required by section 12301 of Public Law 99-272, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended by section 1710 of the Tax Reform Act of 1986 (Pub. L. 99-514). Section 12301 required a study of the quality control systems for the Aid to Families with Dependent Children (AFDC) program and for the Medicaid program to examine how best to operate quality control systems in order to obtain information which will allow program managers to improve the quality of administration and provide reasonable data on which to base

withholding FFP for excessive levels of erroneous State payments. The commenters objected to implementing program changes until the results of the studies were known because in their view, many of the program areas addressed in the NPRM also could be under review as part of the COBRA studies.

Although section 12301 of COBRA placed a 2-year moratorium on FFP disallowances for the AFDC program, the report of the Senate Budget Committee for section 12301 clearly indicated that Congress recognized that the Secretary had the authority to alter the quality control systems during this moratorium period (S. Rep. No. 146, 99th Cong., 1st Sess., 327 (1985)). Further, since the proposed regulations basically incorporate program review and sampling requirements currently contained either in regulations or agency manuals, the revised regulations would not impose new major program changes.

In response to State comments, we delayed publication of the final rule until we could ascertain the results of the COBRA studies. After considering the findings of the studies, the Secretary has concluded, for the following reasons, that it would not be appropriate to publish regulations restructuring the MEQC program.

First, the current MEQC program is sound and has proved to be efficient and effective in reducing erroneous payments. The primary purpose of the MEQC program is to ensure that those individuals who received assistance were eligible for services. The MEQC program was developed to identify and avoid eligibility errors and to promote payment accuracy, fiscal responsibility and program integrity. The substantial reductions in error rates achieved by States demonstrate significant improvements in payment accuracy over time, thus indicating the effectiveness of the program.

Second, we analyzed the MEQC program to respond to specific, identified problems in the current process—not simply theoretical improvements which often entail considerable new costs and the diversion of resources, but do little to actually enhance the program.

Third, based on our analysis, we have concluded that the principles and methods of the current program are valid. The concept of a uniform, national error threshold and shared fiscal responsibility for error is fair and equitable. The use of a double sample involving a State review of a sample of cases followed by a Federal re-review of a subsample is far more practical and efficient than duplicative, separate

systems. It also provides an appropriate sharing of responsibilities and costs to achieve both error reduction and fiscal accountability. The sampling procedures and regression estimation methodology provide statistically valid, unbiased and reliable estimates of payment error rates for corrective action and the calculation of liabilities. The definition and measurement of error are also reasonably balanced and complete.

Fourth, the current quality control focus on payment accuracy, fiscal responsibility, and program integrity has been and continues to be necessary and proper, given the appropriate public concern with high levels of erroneous payments. Quality control is, however, only one component of individual State management improvement efforts and the comprehensive Federal monitoring system designed to assess overall program performance. The MEQC program provides States with information on the frequency, magnitude, and sources of error to guide improvement in payment accuracy. The current MEQC program was never intended to be the only source of information about errors, much less provide comprehensive measures of program performance, such as timeliness, service delivery, efficiency, and effectiveness.

We believe that expansion of the current program to incorporate broader measures of performance, as suggested by the National Academy of Sciences, is unnecessary. A wide variety of performance reporting and measurement systems are in place outside the MEQC program, both at the State and Federal level. These systems already provide indicators of quality, efficiency, and effectiveness.

Management improvement and meeting program objectives are best achieved using a variety of innovative approaches. Individual States can best define the management information and performance measurement systems necessary to accomplish these goals, without new or additional Federal regulatory requirements.

To the extent that program improvements are legitimately needed, we are proposing to address these areas through appropriate statutory and administrative changes. We invite comments on this proposed approach and will consider any comments we receive and respond accordingly in a separate document. Comments relating to issues other than HCFA's proposed response to the COBRA studies will not be addressed. In light of our conclusion that no changes in the regulations are warranted in response to the COBRA studies, we are pursuing publication of

these final regulations to implement other program improvements contained in the proposed rule and commented on by the States.

States also claimed that the NPRM proposed major program revisions which would increase State error rates while eliminating States' opportunity for administrative challenge. One commenter recommended a 2- to 4-year phase-in period to allow States reasonable time to implement the proposed requirements. We do not believe a phase-in period is necessary for States to implement the requirements.

We have analyzed the States' specific comments. Our responses are provided below.

Eligibility Reviews

NPRM Provisions

The MEQC review process is based on a monthly review of Medicaid cases identified through a statewide statistically valid sample of cases selected from the State's eligibility files. The State agency conducts these reviews and determines whether the sampled cases meet applicable Medicaid eligibility criteria. Section 431.800 of the existing Medicaid quality control regulations requires a State to review each case in the sample and to conduct a field investigation, including personal interviews, to verify Medicaid eligibility. To enhance uniformity in implementing the MEQC program and to increase the number of accurate eligibility determinations, the January 1987 NPRM proposed to revise this regulation provision to incorporate the requirement currently contained in agency manuals that the State verify eligibility through one primary or two secondary sources of evidence and through collateral contacts (proposed § 431.812(e)(3)).

In addition, we proposed to add an option to the regulations relating to requirements for negative case reviews to permit States to use an alternate system by developing a review method superior to the current negative case review requirements (proposed § 431.812(c)). We proposed this option to provide States with greater flexibility in their actions to assure the correctness of terminations and denials. States with alternate systems approved by HCFA as superior under this option will continue to be subject to the corrective action requirements in the regulations. These States will be required to submit all planned changes and additions to HCFA for approval prior to implementation. Although this area was targeted for

further study as a result of the COBRA studies, we are retaining this option as a nationwide forum for pilot testing alternatives for the performance of future reviews of negative case actions.

Public Comments

Comment: Seventeen commenters recommended that the regulations provide exceptions to the in-person interview requirement, particularly in foster care and nursing home situations, because these interviews are not always productive or cost effective. They indicated that these types of recipients may not be able to provide necessary information and their representatives may live out of State. The commenters also recommended that the requirement for in-person interviews be waived in cases where geographic or environmental conditions make them costly or difficult or dangerous to conduct.

Response: The existing regulations under § 431.800 already require personal interviews for each case in the active sample. HCFA guidelines for implementing this requirement provide exceptions to in-person interviews, for example, in some foster care and nursing home situations. In such cases, collateral contacts should be used. However, the guidelines do not address situations where geographic or environmental conditions may prohibit the agency from conducting in-person interviews. We agree that it is not reasonable to expect an agency to conduct an interview when conditions are life-threatening or dangerous to the quality control reviewers. Therefore, in response to the commenters' concerns, we are amending the HCFA guidelines to allow States to establish alternate methods for conducting in-person interviews in life-threatening or dangerous situations. We do not agree that we should allow an exception to in-person interviews in situations where the recipient's geographic location makes it costly to complete an interview. In-person interviews are part of the field visit that provides the quality control reviewer with firsthand observation of the circumstances of the case as well as ready access to collateral contacts. To waive the in-person interview requirement because it is not cost effective due to the client's geographic location in effect cancels the field visit necessary to document and verify elements of eligibility. Again, HCFA guidelines currently provide exceptions to field visits but States may not discontinue these visits and interviews because of the recipient's geographic location.

Comment: Four commenters recommended that in-person interviews should not be made mandatory for negative case reviews, since these cases are frequently terminated due to loss of contact, whereabouts unknown, or at the recipient's request and could lead to a high ratio of cases being dropped from the review.

Response: We agree that in-person interviews for negative case reviews should be limited. The existing regulation provisions under § 431.800 that were retained in the NPRM under proposed § 431.812(e)(2) require in-person interviews for negative cases to the extent that they are necessary to verify erroneous eligibility determinations. We have revised § 431.812(e)(2) of the final regulations to accommodate these comments by clarifying further that in-person interviews for negative case actions will be required only when the correctness of the agency's action cannot be determined by review of the agency's records.

Comment: Eighteen commenters contended that the proposed verification requirements under § 431.812(e) reduce flexibility, increase costs, and should not be mandatory or used as a basis for evaluating good faith waiver requests unless it can be demonstrated that not meeting these requirements directly caused an incorrect decision or unless HCFA provides verification deficiency reports as part of the re-review process and allows States time to adjust to the required verification standards. Several of these commenters recommended alternative verification standards: Verification standards on a State-by-State basis or a case-by-case basis; verification standards that are the same as or different from AFDC on overlapping cases; or verification standards set as minimum requirements in consultation with States, and that also must be used by Federal reviewers to reduce the potential for case differences. One commenter expressed concern that unobtainable evidence may lead to a higher number of dropped cases which will bias the sample. Another commenter recommended that HCFA consult with the State Quality Control/Corrective Action Technical Advisory Group (TAG) before putting these verification standards in agency manuals.

Response: The verification standards that we proposed to incorporate in the regulations are currently in agency manuals as minimum standards and States should be familiar with them. Our experience indicates that States have been verifying eligibility in accordance

with these standards. Therefore, we believe that the 30-day delayed effective date for these final regulations allows States adequate time to adjust to the standards. States are free to use additional verification sources to ensure accurate eligibility determinations. Similarly, Federal reviewers can use any verification sources necessary to ensure accurate findings. Further, it is the responsibility of State management to ensure that these verification standards are applied to case reviews and States should not rely on deficiency reports from HCFA as evidence of compliance with program requirements. However, in response to the commenters' request, we will encourage our regional offices to provide more input to States on the quality of their reviews in accordance with these standards.

We do not agree that verification standards should be applied on an individual State or case basis because allowing this procedure would not promote national consistency. We will consider the feasibility of adopting uniform verification standards in conjunction with AFDC and will be available to meet with the TAG before making any revisions to the current standards.

Finally, the good faith waiver criteria have always included an evaluation of the quality of State case reviews. We are including verification standards as part of the waiver criteria to provide a more definitive, in-depth measure of the quality of State reviews.

Comment: Twenty-three commenters responded to our proposal to allow States to develop a negative case review system superior to the current system (proposed § 431.812(c)). Sixteen of these commenters fully supported this option but recommended that sampling techniques be limited. They also recommended that States not be required to produce a statistically valid error rate. One commenter opposed any sanctions tied to the error rate. Another commenter asked for more definitive criteria and one commenter suggested that alternate negative case review procedures be released as instructions rather than as regulations. Two commenters believed that the current system is adequate and that recipient rights are well protected through the fair hearings process and suggested that it would be more advantageous for States to concentrate on error reduction initiatives rather than to duplicate a process already in place. Eight commenters recommended that the current negative case review system should be supported by adequate software using the current National

Integrated Quality Control System (NIQCS) (an integrated system that encompasses AFDC, Food Stamp, and Medicare data).

Response: We believe the criteria as proposed in the NPRM provide a sound base on which States can develop an alternate system. To impose additional review procedures in regulation would reduce State flexibility in the design of an alternate system. However, we may publish further guidelines in manual instructions in the future should we deem it necessary. We are not imposing limits on sampling techniques that the States may use but we are retaining the requirements that the alternate system must have at least the same sample size as the State currently is using and must produce a statistically valid error rate because these criteria will produce reliable data on which States can develop corrective actions. We have clarified the final rule to require States to target their studies to the significant error causes rather than to study and develop corrective actions for causes of an occasional error. Neither the Social Security Act nor these regulations provide for fiscal disallowances to be taken on negative case error rates. However, it should be noted that, as a result of the COBRA studies, both the National Academy of Sciences and this Department recommended a payment accuracy system to include negative case reviews. This issue is currently under study and may be revised in the future.

This proposal does not duplicate a process already in place but rather provides States with an alternative method to the process in place. The Department is exploring the possibilities of supporting the existing negative case review system with the NIQCS. Because this effort is in the developmental stage, we cannot provide more information in response to public comments at this time.

Comment: Two commenters suggested that HCFA consult with the TAG before issuing a separate rule on the basis for conducting Medicaid eligibility quality control reviews. One commenter recommended that quality control errors related to policy compliance not be cited until States are given time to bring their policy into compliance with the Federal interpretation. Otherwise, the State does not know a conflict exists until an error is cited.

Response: We have consulted with the TAG relating to the basis for quality control reviews. We are not issuing final regulations at this time. Even though we are not incorporating in the regulations provisions on the basis for quality control reviews at this time, States are

responsible for ensuring that the policies they implement comply with the State plan and Federal requirements. Section 1903(u) of the Act does not provide for a delay in citing errors due to noncomplying policies.

Provisions of the Final Regulations

We are adopting revisions to the eligibility review regulations as proposed in § 431.812 in the January 1987 NPRM with two changes: we have clarified that in-person interviews for negative case actions will be required only when the correctness of the agency's action cannot be determined by review of the agency's records (§ 431.812(e)(2)), and that studies of negative case review errors under a superior system must be targeted to the significant error causes rather than to the causes of an occasional error (§ 431.812(c)(3)(ii)).

Sampling Requirements

NPRM Provisions

Regulations at § 431.800(d)(2) require the selection of statistical samples of active and negative cases. In the January 1987 NPRM, we proposed to revise this regulation provision so that it more specifically addressed sampling requirements (proposed § 431.814). We proposed to include the basic sampling requirements and procedures, including the requirements for a sampling plan and the conditions for approval of the plan by HCFA. We proposed to require that the sampling plan include identification of the population to be sampled, the lists from which the sample is selected, the specific characteristics of the lists, the sample size, the sample selection procedures, and claims collection procedures. We also proposed to include a requirement that minimum sample sizes must follow those currently outlined in HCFA instructions—that is, sample sizes that are based on the States relative level of Medicaid annual payments for active cases and the number of negative case actions in the universe for negative cases.

We included in the proposed regulations the two options currently available to States in selecting sample sizes and a third option to use retrospective sampling as a sampling method. We proposed to continue to provide States the option of selecting a larger sample than the federally prescribed minimum sample size. FFP would continue to be available for the additional State sampling and review costs if a State elects to increase its sample size. A State also may continue to review only the minimally required sample. In addition, we proposed that

the State must agree to accept the reliability of the sample size it selects and provide as a part of its sampling plan a statement that it will not challenge the reliability of the error rates based on the sample size and resulting precision.

The option for the use of retrospective sampling is designed to improve the precision of the MEQC error rate by grouping or stratifying Medicaid cases according to their dollar value. A State that elects this option will select an initial increased sample of Medicaid cases and identify the paid claims for each case. These cases would then be stratified by dollar amount into three strata and a second sample selected from each stratum. Eligibility and payment reviews of the cases selected in this second sample would then be completed by the State. The NPRM specifically requested comments on making retrospective sampling a requirement in the future.

In the January 1987 NPRM, we also proposed to revise the sampling requirements for the Medical Assistance Only (MAO) stratum of active cases to require the MAO stratum for active cases to include reviews of cases that are 100 percent federally funded such as Cuban Refugee cases; and to require a State agency that determines Medicaid eligibility using Supplemental Security Income (SSI) criteria to divide its MAO stratum into two substrata—SSI cash cases (75 cases or one-half of the stratum sample, whichever is smaller) and MAO cases (proposed § 431.814(c)).

For the AFDC stratum, we proposed to include AFDC overpayment errors caused by ineligible family members as an area of review for Medicaid, except for individuals whose AFDC payments are reduced to zero by reason of recovery of overpayment of AFDC funds (proposed § 431.816(b)); that is, when an AFDC family is found eligible for AFDC but an individual family member is ineligible, the AFDC payments on behalf of the individual constitute an overpayment to the family and Medicaid payments made for services furnished to the ineligible family member are erroneous. The State would review these cases to determine if the ineligible member(s) is eligible for Medicaid. If the individual(s) is ineligible for Medicaid, applicable claims paid on behalf of the individual would be considered misspent Medicaid funds.

Finally, we proposed to continue to exclude from the MEQC universe those cases for which Medicaid eligibility determinations are made exclusively by the Social Security Administration under an agreement under section 1634

of the Social Security Act. We also proposed to incorporate in the regulations our directive to exclude foster care and adoption assistance cases under title IV-E of the Act found eligible for Medicaid (proposed § 431.814(e)(4)). This directive was effective with the review period beginning October 1988. Due to the nature of these cases, it is very difficult to establish parental financial responsibility or to obtain access to adoption records and other confidential documentation for verification. As a result, a definitive conclusion of eligibility often cannot be determined. Also, these cases are subject to quality control review under the Office of Human Development Services. Based on these reasons, we believe it is not reasonable to continue MEQC review of these cases.

Public Comments

Comment: Commenters requested that we clarify what they alleged to be an ambiguity in the proposed regulations related to the due date for State submittal of universe estimates and sample intervals. The proposed regulations implied that these estimates were due to be submitted 2 weeks prior to the beginning of the sampling period. The commenters requested that States be permitted to submit final universe estimates and sampling intervals 2 weeks prior to actual sample selection.

Response: We agree with the commenters that these figures need to be submitted 2 weeks prior to actual sample selection for a 6-month cycle and have revised § 431.814(a) and (i) in response to this comment.

Comment: Commenters recommended that a time limit be imposed on HCFA to approve a sampling plan and to allow States time to make any necessary adjustments if a plan is not approved and if HCFA changes sample criteria after the review period has begun.

Response: We will inform our regional office staff of States' concerns and request that they provide States with timely notification of plan approvals so that States have time to make any necessary adjustments to the plan. In the past, we have notified States in advance of changes in the sample criteria that become effective during the review period. We recognize changes of this nature may create difficulty for States and therefore make these changes only when necessary.

Comment: Commenters asked that the regulation clearly state that flexibility for individual State circumstances and methods is available in sampling methodologies.

Response: We provided flexibility in the regulations for alternate sampling procedures in the proposed § 431.814(b)(4) and sampling methodology options in the proposed § 431.814(j). Subject to HCFA approval, States are free to experiment with sampling methodologies if the entire universe is represented and error estimates have precision at least comparable to current estimates.

Comment: One commenter objected to the proposed required minimum of 75 completed cases per substratum because it has no statistical basis. The commenter recommended using a simple random sample as the precision standard since a State cannot comply with the systematic random sampling requirement because there is no way to calculate the variance (i.e., precision).

Response: The 75-case per substratum minimum provides an assurance of stable statistical estimates. However, a State may request in its sampling plan to be exempted from this requirement, provided the total stratum sample size is at least equal to the minimum required. In addition, the State must provide a statement in the sampling plan agreeing to accept the reliability and precision of the reduced substratum sample.

Although systematic sampling is technically a cluster sample with associated complex variance calculations, it is reasonable to make the standard assumption of equivalence to a simple random sample. We concur with the use of the simple random sample precision assumption as long as the variance formula used is otherwise appropriate (e.g., stratification, regression is addressed).

Comment: Commenters believed that the requirement for 6-month sampling periods under proposed § 431.814(f) is not reasonable since the payment error rates are computed on an annual basis.

Response: HCFA computes error rates on a semiannual basis to allow for improved tracking of State performance over time. The 6-month periods have the added benefits of better defined workload control and the allowance for the use of more current data for the anticipated error rate estimates for prospective withholding purposes.

Comment: Commenters opposed the option of completing cases selected more than once in the same period because its use could result in additional errors.

Response: HCFA has always allowed States to choose this option in the sampling plan. There is no statistical basis or quantitative support for the conclusion that States that choose this option experience an increased error rate.

Comment: Commenters questioned the statistical reliability of the Federal re-review process and final error rate regression. They pointed out that the subsample size is the same regardless of the variety in States' sample sizes. Also, they questioned why the required sample size is based on the level of Medicaid expenditures rather than on the number of cases.

Response: The statistical reliability of the Federal re-review process and final error rate regression is based on the combined effect of the State and Federal samples. This complex interrelationship does not warrant fine graduations in Federal subsample sizes. HCFA uses the payment universe data to determine sample sizes because the payment universe better reflects the dollars at risk in the measurement process. Federal disallowances are based on the amount of erroneous Medicaid expenditures and not the number of cases in error.

Comment: Twenty commenters responded to our proposal to include for review cases for which FFP is provided at 100 percent, for example, Cuban refugee cases (proposed §§ 431.812(a) and 431.814(c)(2)). Two commenters supported this proposal but the majority of the commenters opposed it. Commenters pointed out that it is inappropriate to include these cases in the title XIX universe because inclusion would penalize States with a high refugee population and States would incur additional costs to begin these reviews. They stated that these cases would be very difficult to review due to language barriers, cultural differences, and the limited duration of eligibility. In addition, they noted that the Office of Refugee Resettlement (ORR) (now in the Family Support Administration), HHS, is devising a method to review refugee medical assistance cases and this proposal duplicates Federal monitoring. They suggested that a special study of this population would be a better way to assure that correct payments are made.

Response: We believe that confusion exists regarding refugee medical assistance furnished by ORR and Medicaid services provided to refugees under title XIX. Refugee medical assistance is administered and fully funded by ORR. Conversely, Medicaid services to refugees are provided under the authority of title XIX even though these cases are funded by both HCFA and ORR. We proposed that these latter cases of refugees receiving Medicaid services be reviewed by the States. However, after consideration of the arguments against our proposal by the commenters, we agree that these cases

should remain not subject to review under the MEQC system. We have revised §§ 431.812(a) and 431.814(c) (2) and (4) and (d) to reflect this. We may consider a special study in the future to ascertain if correct payments are being made for these cases.

Comment: Four commenters responded to our proposal that those States that require a separate Medicaid application but apply SSI-criteria to determine Medicaid eligibility must divide to MAO stratum into two substrata for better corrective action data (proposed § 431.814(c)). One commenter supported the proposal. Three commenters suggested that the regulation should be clarified to indicate that this requirement applies only to those States that determine Medicaid eligibility using SSI criteria (SSI-criteria States) and recommended that the requirement should be an option. They did not agree that the requirement will provide additional data for corrective actions and contended that it would necessitate an overhaul of the sampling plan. The commenters also contended that the resulting sample will no longer be representative of the Medicaid universe.

Response: In response to the commenters' concerns, we have clarified the applicability of the requirement to only SSI-criteria States in the final regulations (§ 431.814(c)(3)). We do not agree with the commenters that this requirement will not provide additional data for corrective actions. Currently, only minimal eligibility information is gleaned from SSI-cash cases in the MAO substratum for corrective action, e.g. a signed Medicaid application and residency. Therefore, States will receive additional data from the increased number of non-cash MAO cases reviewed in the substratum. Also, we do not agree that this requirement should be an option since the benefit of increased data available for corrective action purposes surpasses the added effort involved in any minimal restructuring of the MAO sample. We do not concur with commenters that the stratified sample will no longer be representative of the Medicaid universe. The error rate that results from the substratification will not only produce a valid estimate based on the appropriate statistical weighting, but should result in improved precision over the current estimate. However, in consideration of retaining flexibility in sampling methods for SSI-criteria States and in response to comments, we have provided in the final regulations (§ 431.814(c)(3)) that these States may request in the sampling plan that they be exempted from the

requirement to divide the MAO stratum into two substrata when it interferes with the implementation of a more efficient substratification scheme or when retrospective sampling is implemented. Also, since the July 1 effective date of these regulations falls in the middle of the April-September review period and States cannot amend their sample during this time, this sampling requirement would be effective for the first review period beginning after July 1, 1990, and for review periods thereafter.

Comment: Three commenters agreed that foster care and adoption assistance cases receiving Medicaid under title IV-E should be excluded from the MEQC universe since they are extremely burdensome to review. Three commenters did not support the proposal, and indicated that statistical evidence has found that these cases tend to be error free and beneficial to keep in the sample. Further, they pointed out that removal of these cases will violate the concept of random sampling and will focus the sample toward more error-prone cases. The commenters also advised that States must have time to supplement the October 1986-March 1987 sample to meet the required minimum sample size.

Response: We proposed the exclusion because we recognize that very often a definitive conclusion of Medicaid eligibility cannot be made for foster care and adoption assistance cases under title IV-E due to limited access to documentation, and establishing parental financial responsibility. Further, in view of the fact that the Office of Human Development Services in conducting its own review of these cases, we had effectively discontinued these reviews under the MEQC program of October 1, 1986. This regulation codifies this action. If these cases have been found to have disproportionate error-free findings, this may be due to the inability to secure supporting documentation to verify correct eligibility findings. Also, random sampling procedures will reflect the universe under consideration, excluding these cases. This universe is consistently defined from State to State. HCFA did not require States to supplement the October 1986-March 1987 sample to meet minimum sample size requirements where it was shown clearly that the shortage was nominal and due solely to the elimination of foster care and adoption assistance cases under title IV-E from the sample. We have retained the exclusion of foster care and adoption assistance cases under title IV-E from the MEQC sample

in the final regulations under §§ 431.812(a) and 431.814(c)(4) and (d).

Comment: Nineteen commenters objected to our proposal to include the sample size precision acceptance statement as part of the sampling plan. They indicated that this prevents them from making valid criticisms and seeking appropriate redress as potential statistical problems become known. They contended that States are limited by HCFA from pursuing the most precise estimate available and a decision made at the time of sample size selection does not warrant preacceptance of the precision obtained after all procedures have been completed. They further stated that the statistical precision of the sample is compromised by the presence of very large payments which are exceptionally different from other payments in the sample and suggested that these cases be deleted to increase the precision. They recommended that the acceptance statement be used only when the State decides to review less than the minimum set by HCFA.

Response: We did not propose this acceptance statement as a means to prevent States from administrative challenge but rather as States' acknowledgment of the issue of sample precision and to encourage States to improve the precision of their error estimates. Samples are selected in a statistically appropriate manner. Payments to sample cases are representative of payments to the Medicaid universe and as such large payment cases cannot be dropped. However, in view of the commenters' concerns on our proposal, we have revised the final regulations to adopt their recommendation that only when States implement approved plans with less than the minimum substratum sample size will the acceptance statement be required in the sample plan (§ 431.814 (b)(3) and (j)).

Comment: In the NPRM, we proposed to consider mandating retrospective sampling in the future. Thirty-five commenters fully supported retrospective sampling, provided it remains an option. Commenters expressed numerous concerns on the impact of the mandated use of retrospective sampling on their programs in terms of costs and administrative burden. Further, many commenters were not convinced that retrospective sampling is superior to the current sampling procedures and believed it is important to allow States to select sampling methods best suited to their individual program circumstances.

Response: In view of the many concerns expressed by the commenters in opposing our proposal to require retrospective sampling as a sampling methodology, we are not mandating its use in these final regulations. We continue to offer it as an option and we will study future applications.

Provisions of the Final Regulations

We have adopted the proposed regulations on sampling requirements as final with the following modifications:

1. In § 431.814 (a) and (i), we have clarified that the universe estimates and sample intervals must be submitted 2 weeks prior to the first monthly sample selection for each review period.

2. We have revised § 431.814 (b)(3) and (j) to provide that only when States implement approved plans with less than the minimum substratum sample sizes will the acceptance statement regarding reliability and precision be required in the sampling plan.

3. We have revised §§ 431.812(a) and 431.814 (c) (2) and (4) and (d) to indicate that States are not required to review cases for which FFP is provided at 100 percent. However, the final regulations (§ 431.814(i)) do not specifically exclude these cases from the universe since current MEQC program requirements eliminate them from consideration.

4. We have revised § 431.813(c)(3) to specify those States that must divide the MAO stratum into two substrata and that these States may be exempt from this division requirement when implementing an approved sampling option that does not accommodate this stratification. This requirement would apply to review periods beginning after July 1, 1990.

5. We have retained the provision in § 431.814(i) to exclude from the universe those cases found eligible for Medicaid by the Social Security Administration under a section 1634 agreement and for cases found eligible as foster care or adoption assistance cases under title IV-E of the Act. States must submit the universe counts for these cases to allow for exclusion of associated dollars from the disallowance computation.

Requirements for Case Review Completion and Submittal of Reports

NPRM Provisions

The existing regulation, § 431.800(f), requires a monthly report of case reviews completed during the month and a summary report of all cases in the 6-month sample. In the NPRM, we proposed timeframes for completing eligibility case reviews to correlate more closely with the AFDC quality control reporting requirements and to provide a

better flow of case information and error rate data for State corrective action measures and more timely completion of the Federal subsample (§ 431.816).

For MAO active cases, the NPRM proposed to require States to complete eligibility reviews and report their findings for 90 percent of the sample cases within 75 days after the end of each review month and 100 percent of the reviews of sample cases within 95 days of the end of the review month. For eligibility reviews extending to overpayments and ineligible cases reported by the AFDC quality control State agency, the proposal required a State to complete its reviews and report its findings within 5 days after the timeframes under the AFDC program—that is, 90 percent of the AFDC ineligible cases would be required to be completed within 80 days, 95 percent of the cases within 100 days, and 100 percent of the cases within 125 days. In addition, the NPRM proposed that the MEQC findings be reported concurrently with the AFDC quality control findings for State agency reported eligible individuals within the timeframes specified in the AFDC program regulations under 45 CFR 205.40(b)(2)(ii).

The existing requirements under § 431.800(e)(3) provide that States must complete monthly reports on payments reviews and that States must wait 5 months after each sample month before accumulating paid claims for each case. In the NPRM, we proposed to revise these timeframes to delete the fifth month from the claims collection process as it is only an administrative period to adjust claims paid in the fourth month. Therefore, under the proposal, the claims collection process would begin 4 months after the review month, that is, the first day of the fifth month. States would complete payment reviews and submit reports on their findings within 30 days after the first day of the fifth month following the review month for MEQC reviews under the current system and 30 days from the sample selection month for retrospective sampling reviews. In a similar manner, we proposed to eliminate the claims payment administrative period in the claims collection period, that is, the month following each of the 4 months in the claims collection period during which States may make adjustments to claims, because the separation of the claims processing assessment system from the MEQC program has eliminated the need for the claims payment administrative period, and because the elimination of this administrative period would produce more timely error rate data.

Public Comments

1. Overall Comments on Timeframes

In response to numerous comments, we have modified many of the proposed timeframes, as discussed in detail later. We believe that the experience of the States and HCFA supports these revised timeframes and that administrative efficiency will be served inasmuch as States will continue to have timely MEQC case information to develop corrective actions and HCFA will receive timely information to efficiently re-review State cases and provide timely case information back to the States. In addition, to facilitate State case management and analysis, we will provide States with disposition lists of Federal re-review findings on an ongoing basis.

Comment: Three commenters recommended that HCFA have timeframes in which to complete Federal re-reviews that are similar to those imposed on States. One of these commenters also pointed out that the regulations do not impose timeframes on Federal calculation of the State's payment error rate.

Response: It is our intent that the Federal re-reviews and calculations of States' payment error rates will be completed in a timely manner. Since the revised timeframes will require the completion of State reviews on a flow basis, they will also promote more timely completion of the Federal re-reviews. Requirements for completion of Federal re-reviews by the end of each 6-month sample period will be set forth in HCFA's Regional Office Manual.

2. Active Case Reviews—MAO Stratum

Comment: Thirty-eight commenters addressed our proposal on timeframes for completing case reviews in the MAO stratum and submitting reports (§ 431.816(b)(1)). Fifteen commenters supported Medicaid timeframes that are consistent with AFDC timeframes, since this consistency lessens confusion about transmission deadlines and would be in line with coordination of other AFDC and Medicaid program procedures that provide more efficiency in State quality control operations. Three of these commenters recommended that additional time be allowed to complete difficult cases. Nineteen commenters agreed that timeframes are necessary but recommended timeframes different from those that we proposed. Six commenters suggested that review of either 60 percent, 75 percent, or 80 percent of the cases should be completed within 75 days since it is difficult to complete review of 90

percent of the cases within 75 days. In addition, four of these commenters suggested the final completion of 100 percent of the cases in 120 days. Seven commenters recommended that 100 percent of the cases should be due in 150 days to allow for selection of the sample at the end of the month and to align these with AFDC-QC requirements. One commenter suggested that all timeframes should be extended by 10 days to compensate for transmission difficulties. Another commenter suggested a single completion date of 125 days for program operation simplification.

Response: After analyzing these comments, we have revised the regulations (§ 431.816(b)(1)) to accommodate the commenters' concerns. We have developed new timeframes that are similar to those required under the AFDC program but have allowed 30 additional days for sample selection at the end of the month. Therefore, the revised completion timeframes for the Medicaid-only active caseload are: 90 percent within 105 days, 95 percent within 125 days, and 110 percent within 150 days. We believe these timeframes are reasonable and adequately respond to the commenters' concerns while providing timely data for States' management information and on which to base disallowances. These new timeframes will apply to the first review period beginning after the July 1, 1990 effective date of these regulations and to review periods thereafter.

Comment: Four commenters opposed the timeframes because they will have an impact on the error rate by reducing the quality of reviews.

Response: We do not believe that the original timeframes proposed would have reduced the quality of reviews. To the extent that this may have occurred, however, the significantly longer timeframes set forth in the final rule provide ample time for thorough reviews.

Comment: Three commenters indicated that States should not be denied the opportunity to apply for good faith waivers if they fail to meet the timeframes.

Response: The failure to meet these timeframes does not prevent a State from applying for a good faith waiver. However, consideration is given to State compliance with Federal requirements as part of the waiver process. The current waiver criteria include timeliness of submittal of case findings when HCFA considers a State's good faith efforts to meet the 3-percent national standard. These timeframes provide a more focused review of a

State's timeliness in completing case reviews. Therefore, we are not imposing a new waiver criterion but are merely providing more specificity to the current criterion.

3. Active Case Reviews—AFDC Stratum

Comment: Twenty-five commenters responded to our proposal to include AFDC overpayment errors caused by ineligible family members in the AFDC stratum. Two States supported our proposal to include such cases in the AFDC stratum. Twenty commenters indicated that it is not cost effective to review these cases because the cases represent a small segment of the Medicaid population and would represent no significant impact on the payment error rate.

Response: It has been HCFA's longstanding intent to include these cases in the sample. As these cases represent misspent Federal funds for ineligible persons, they should be subject to quality control review for error rate data analysis and corrective action purposes. Further, since data collection on this type of overpayment case has not been previously required, the impact of such cases on the error rate has yet to be determined. Therefore, the final regulations explicitly retain these cases for review (§ 431.816(b)(2)).

Comment: Three commenters contended that inclusion of AFDC ineligible and overpayment cases puts States in double jeopardy for AFDC and Medicaid errors by focusing on cases with known errors which are really AFDC errors subject to AFDC corrective action. They contended that to count these as Medicaid misspent funds violates Federal law which they contend requires States to provide Medicaid to these individuals. One commenter added that the preamble to the proposed regulations did not detail which AFDC cases are included and the omission implies that the sample would consist of only error cases.

Response: We agree that these may be errors that originate in the determination of AFDC eligibility and that AFDC corrective action may be appropriate. However, the resulting misspent funds are appropriately counted under each program, i.e., the AFDC payment dollars are counted in error in the AFDC-QC review and the Medicaid paid claims amounts are counted in error in the MEQC review. This is the same procedure that has been used by MEQC in its review of AFDC cases entirely ineligible and does not constitute double counting of the same error but rather is a separate assessment of each program's misspent funds. Further, the proposal does not

violate Federal law requiring the agency to provide Medicaid to AFDC recipients since the statute at section 1902(a)(10) of the Act provides that the State must make Medicaid available to those individuals receiving aid or assistance under the State plan approved under title IV. This means those individuals must be eligible to receive AFDC benefits. The preamble to the proposed regulations clearly addressed the proposal to include those AFDC overpayment errors solely caused by ineligible family members and specified that this does not include those cases where AFDC payments are reduced to zero to recover overpayments (52 FR 2736). Finally, all payments made on behalf of eligible AFDC recipients will continue to be included. We do not agree that further clarification of the final regulations is needed.

Comment: Four commenters suggested that it would have been helpful if the proposal had included statistics to demonstrate that it will now be useful to review AFDC ineligible and overpayment cases since States historically have been told they were not cost effective to review and HCFA has eliminated them from review.

Response: This proposal reflects the intent of the statute that Federal funds are expended only to those individuals eligible to receive Medicaid services. These cases previously have been inadvertently excluded. We are correcting this exclusion by explicitly including these cases in this final rule.

Comment: One commenter indicated that including overpayment cases violates the concept of random sampling.

Response: The sample for the AFDC group is a random sample of all AFDC cases. There is no bias in the representation of eligible versus ineligible cases. The review of AFDC cases with ineligible members is intended only to measure the degree of misspent funds associated with cases previously presumed eligible.

Comment: One commenter suggested an implementation period of one year to allow for coordination with AFDC program staff and corrective action initiatives if the payment error rates increase.

Response: We believe an implementation period beyond that provided for in this final rule is contrary to the intent of section 1903(u) of the Act by allowing an extended period of time during which misspent funds would not be determined. Also, since States have had ongoing corrective action analysis and initiatives in the AFDC program for error reduction purposes, a 1-year

implementation period should not be necessary to develop corrective actions to prevent AFDC overpayments due to the inclusion of ineligible individuals. Therefore, we are not adopting this suggestion in the final rule.

Comment: Eighteen commenters responded to our proposal to allow 5 days beyond the AFDC completion timeframes for reporting reviews extending to AFDC overpayment and ineligible cases (proposed § 431.816(b)(2)). Thirteen commenters recommended the timeframes be extended to allow for difficulties in completing these cases due to separate staffing functions within the State and additional verification necessary for determining Medicaid eligibility. One commenter recommended an additional 10 days, two commenters suggested 30 days, and seven commenters suggested 45 days to complete these cases.

Response: To address States' concerns in completing cases within Federal timeframes, we have revised the timeframes for submitting findings on AFDC-ineligible and overpayment cases in the final rule to allow States 30 days after the final AFDC due dates set forth in 45 CFR 205.40(b)(2) (§ 431.816(b)(2)). We have provided these additional 30 days for administrative ease in completing these cases. We did not adopt the commenters' recommended 45 days because we believe the additional 30 days is ample time to complete those cases and this provides States with a concurrent final timeframe of 150 days after the review month to report 100 percent of the MAO active case findings and the findings from reviews of all AFDC cases in the sample.

Comment: Six commenters recommended that the timeframe for submitting findings for AFDC-eligible cases be extended 20 days after the AFDC due dates to allow for any necessary field visits when data for the MAO review are not available in the quality control file.

Response: We have provided an additional 30 days beyond the final AFDC due dates at 45 CFR 205.40(b)(2) to allow States the opportunity to transfer case records and other necessary documents from one State agency to another. However, the comments regarding MAO reviews and field visits do not appear relevant since MAO reviews and field visits are not necessary for AFDC-eligible cases.

4. Completion and Reporting of Payment Reviews

Comment: Twenty-three commenters responded to our proposal to require States to complete and report payment review findings within 30 days after the

first day of the fifth month following the review month. Four commenters recommended 45 days after the review month to report payment findings. Eleven commenters recommended 60 days for completion of reviews. Nine commenters recommended that a timeframe of less than 60 days should require a study to ensure States can meet the deadline. Four commenters opposed the proposed timeframe for completing payment reviews on the basis that 30 days is not reasonable for States to run computer programs to collect and report claims, review claims, and enter the data into NIQCS. One commenter opposed the timeframe for completing payment reviews because it does not allow time for obtaining additional case information or resolving other problems and would hurt small States with only one person processing all payment reviews.

Response: In response to these comments, we have revised the final regulations (§ 431.816(b)(4)(ii)) to adopt the recommended 60 days, beginning with the first day of the sixth month following the review month, for completing payment reviews. This new timeframe will provide States reasonable time for the collection and reporting of payment reviews.

Comment: Five commenters indicated that the proposed timeframe does not allow for computer problems or necessary contacts with third parties, or take into consideration that spenddown cases require claims review of the full spenddown period and that HCFA is adding new types of errors.

Response: The revised timeframe as stated above will allow States time to contact third party payors and to collect claims for services furnished to individuals during the spenddown period up through the review month. Our proposal to eliminate social security numbers and assignment of rights from the definition of technical error would have no impact on payment reviews since verification of these elements is done during the eligibility review.

Comment: One commenter stated that the timeframe does not allow for late receipt of Medicare data needed to process crossover claims and suggested the policy regarding payment for crossover claims be deleted if the timeframe is imposed. Otherwise, the commenter contended that States cannot meet the deadline and could not apply for a good faith waiver.

Response: The extended timeframe as discussed earlier should accommodate the commenters' concern on crossover claims. Although failure to meet the timeframes would not preclude a State from filing a good faith waiver, failure to

meet the timeframes would be considered in the waiver review process.

Comment: Three commenters opposed the proposal for completing payment reviews because it would not give an accurate picture of claims payments. Two commenters suggested that the proper method to review paid claims is to consider adjustments made for erroneous payments. One State commented that it allows its providers 9 months to file claims with more than 1 month needed for resolution in some cases and indicated that pulling the recipient history profiles in the fourth month would not give an accurate picture of the claims.

Response: Our revised timeframe allows for appropriate adjustments made because of erroneous payments and, therefore, provides an accurate picture of paid claims. However, those claims that are not billed within the payment review timeframe will not be considered in the payment review. This procedure has been longstanding policy in the payment review process and historically has not presented problems for States. We have clarified in the final rule under § 431.812(d) that the agency must review those claims for services furnished during the review month and paid within 4 months of the review month.

5. Claims Administrative Period

Comment: We received many specific comments on our proposal to eliminate the claims payment administrative period following the 4 months in the claim collection process, but the overall comments were that the period should be left intact or lengthened.

Response: These final regulations have been modified to address the commenters' concerns by retaining the current administrative period for claims processing (§ 431.816(b)(4)(iii)). However, we continue to be concerned about this area for two reasons:

First, the claims payment administrative period was a construct used when the claims processing quality control review was a part of Medicaid quality control. This construct allowed a State agency the month of payment and the following month to make adjustments to paid claims to avoid claims processing quality control errors. Its effect on the eligibility portion of the review was only incidental inasmuch as these adjustments changed the payment amount of the case.

Once the claims processing quality control review was separated from the MEQC review, we believe the incidental effect of allowing adjustments would not

justify the continuation of these adjustments. Such adjustments should both increase and decrease claims payments amounts and apply to both correct and error cases. Thus, the net effect of such adjustments should balance out and not affect the MEQC error rate. For that reason, we believe that these adjustments would similarly not affect the error rate should the present claims payment administrative period continue to be allowed, and, therefore, have allowed it in the final regulations.

Our second concern has caused us not to allow a longer administrative period and to add language to the final regulation. That concern is that the claims payment adjustment period will be used to adjust claims in a biased manner, that is, payments would be adjusted to offset errors found in the eligibility review. This, in turn, could artificially cause the payment amounts for erroneous cases in the sample to be reduced and no longer reflect the entire State caseload. For this reason, we have added specific language in § 431.816(b)(4)(iii) stating our intent to take necessary actions rejecting these adjustments or including an independent determination of the State's error rate should HCFA find evidence of these claims processing adjustments distorting the MEQC error rate. We also have applied this language to any State effort to artificially affect the original payment of the claims, for example, by not paying claims on error cases.

Comment: Six commenters recommended an increase in the administrative period to allow for payment adjustments and keypunch errors.

Response: The current claims administrative period provides 30 to 60 days (depending on when the bill is paid) to make adjustments to erroneously paid claims and to correct keypunch errors. We believe this amount of time is adequate to correct errors. Therefore, we are not increasing the length of the administrative period.

Comment: Two commenters believed that the proposal to change the claims collection process to eliminate the claims payment administrative period would cost States time and resources.

Response: In response to comments, we are not changing the current claims payment administrative period in the claims collection process.

Comment: One commenter recommended the claims collection period should be 6 months with a 1-month administrative period and up to 2 years for Medicare crossover claims for a more accurate payment error rate.

Response: For the reasons indicated earlier, neither the length of the claims collection period nor the claims payment administrative period will affect the MEQC eligibility error rate. We believe that adoption of the commenter's recommendation would be inconsistent with the collection of timely MEQC data necessary for timely eligibility corrective actions.

Comment: Three commenters contended that HCFA should not worry about States affecting the error rate by treating payments on quality control cases differently since the systems performance review monitors States' payments through audits.

Response: While the systems performance review may be able to detect these adjustments, it cannot correct the original occurrences. These improper adjustments could continue to affect the MEQC error rate by being made on a small number of cases. Therefore, the threat of systems performance review sanctions would not be effective in preventing these incorrect adjustments.

Comment: One commenter suggested that HCFA should not impose completion deadlines that States cannot meet or that preclude States from filing good faith waivers.

Response: Inasmuch as we are not changing the present timeframes and States have been able to consistently meet these timeframes, we believe States will continue to do so. Any State may file a good faith waiver request but failure to meet completion timeframes would be considered in reviewing a State's good faith efforts to meet the national standard.

Provisions of the Final Regulations

We have adopted the proposed regulations as final regulations with major changes in the timeframes as follows:

- We have incorporated timeframes for completing cases in the MAO stratum and ineligible and overpayment cases in the AFDC stratum that are similar to those required under the AFDC program. The timeframes adopted are: 90 percent of the cases within 105 days; 95 percent within 125 days, and 100 percent with 150 days (§ 431.816(b)(1) and (2)(i)). These timeframes apply to the first review period beginning after July 1, 1990 and to review periods thereafter.

- We have revised § 431.816(b)(2)(ii) to extend the completion timeframe for submitting findings on all State agency reported eligible cases to allow States 30 days after the final AFDC due date set forth in 45 CFR 205.40(b)(2)(ii).

- We have revised § 431.816(b)(4)(ii) to provide 60 days for completing payment reviews, beginning on the first day of the sixth month following the review month.

- We have added a new § 431.816(b)(4)(iii) that retains the current administrative period for claims processing. We have included language that prohibits making corrections to claims payments resulting from payment errors that, when corrected, would not distort the error rate.

- We have revised § 431.816(d) to provide that the agency must review claims for services furnished during the review month and paid within 4 months of the review month.

Summary Reports

NPRM Provisions

In the January 1987 NPRM, we proposed to continue to require a State to submit monthly progress reports on active case reviews completed during the month (§ 431.816(b)(1)(ii)). We also proposed to extend the timeframe for States to submit summary reports of the findings for all cases in the 6-month sample. We proposed June 30 of each year as the deadline for reports for the previous April-September sampling period and December 31 for the October-March sampling period. Under the proposal, the summary reports must include findings changed in the Federal re-review process.

Public Comments

Comment: Two commenters recommended that since the NIQCS contains data from the required summary reports, HCFA should extract the needed information directly. One of the commenters opposed including Federal re-review results in the summary reports as they are appropriate for regression purposes only and could cause a State to miss the deadline due to unresolved differences. In such cases, the commenter recommended that the deadline should be extended to 30 days beyond the resolution of the difference. Another commenter recommended that the deadline should be 2 weeks after resolution of difference cases.

Response: The software to produce these reports was provided to the States to reside on their personal computers to allow States flexibility to perform analysis on an independent, as-needed basis. This information, therefore, should be addressed by States not only for summary reports but also for corrective action purposes. Further, HCFA does not maintain this software or a data base that combines Federal

and State findings for summary report purposes. The completion dates for submitting summary reports were proposed to be extended in the NPRM to allow States time to incorporate the final Federal findings on difference cases in the summary reports. However, in view of the completion timeframes for eligibility and payment reviews as revised in this final rule, we also have extended the summary report due dates to July 31 for the April-September period and to January 31 for the October-March period to allow States additional time to incorporate Federal findings (§ 431.816(b)(5)).

Comment: One commenter agreed that States should report 100 percent of their cases by the Federal deadlines but recommended that States be given the maximum time allowable in an annual basis, that is, either June 30 or December 31, to report all of the cases to allow for exceptional circumstances. One commenter stated that semiannual reports are unnecessary because the statistical assessment period is 12 months in duration.

Response: HCFA computes disallowances on an annual period. However, data analysis should be performed more frequently to track performance, evaluate existing corrective actions, and develop new corrective actions. We have extended the due dates for summary reports to allow States an additional 30 days beyond the due dates proposed in the NPRM. These new due dates of July 31 and January 31 extend the current due dates of May 31 and November 30 as set forth at 42 CFR 431.800(f)(4) by 60 days. We believe this additional time allows for exceptional circumstances. Since States use summary reports to develop corrective actions, the semiannual reports offer more timely data than an annual report and are consistent with the program's semiannual review period basis. Therefore, we are not adopting this recommendation.

Comment: One commenter indicated that the due dates may create a problem in terms of the corrective action plan submission by August 31 if Federal reviews are delayed or if States have the usual problems with the Federal tables.

Response: We agree that the completion timeframes may leave States little time to complete the corrective action plans by August 31. Therefore, we have provided in the final rule (§ 431.820(c)) that corrective action plans will be due by September 15 of each year. This extension will allow States additional time to develop corrective actions based on Federal review findings and payment data.

Comment: Two commenters noted that the NIQCS is not programmed to provide monthly status reports and since such information can be obtained from the NIQCS database, States should not have to supply these reports.

Response: The existing regulations do not require monthly status reports. We agree that such information can be obtained from the NIQCS database. Further, since the final rule provides timeframes for completion of 90 percent, 95 percent, and 100 percent of the sample, it is not necessary for States to submit these monthly status reports. Therefore, we have revised the final rule to delete the requirement for States to file monthly status reports (proposed § 431.816(b)(1)(ii)).

Comment: Two commenters questioned whether completion deadlines were based on the transmission of data through the NIQCS or the postmark date of the disposition list.

Response: The deadlines for reporting information are the dates on which all case information must be received by the regional offices. The current means of State review finding submittal is through the NIQCS. We will accept data successfully transmitted to the NIQCS mainframe by the due date.

Provisions of the Final Regulations

We have adopted the proposed regulations as final with the following changes:

- We have deleted the proposed § 431.816(b)(1)(ii) that required States to file monthly status reports.
- We have revised § 431.816(b)(5) to change the due dates for summary reports to July 31 (from June 30) for the April-September period and to January 31 (from December 31) for the October-March period to allow additional time for States to incorporate Federal findings.
- We have revised § 431.820(c) to change the due date for corrective action plans to be completed from August 31 to September 15.

Access to Records

NPRM Provisions

In order to validate the State's MEQC findings, it is necessary to conduct a Federal re-review of the State's sample. Regulations under § 431.800(h) provide that the State agency must provide HHS access to all records pertaining to MEQC reviews. In the NPRM, we proposed to revise this provision to require the State agency to provide complete State and local payment and eligibility records or legible copies to HHS staff within 10 days of receipt of a

request for these records by mailing, at Federal expense, complete case records to HHS staff (proposed § 431.818). We proposed to allow exceptions in cases in which we decide that an alternate method would be more practical, such as when the case records are located in the same city as the regional office.

Public Comments

Comment: Twenty commenters recommended a longer timeframe for mailing case records to allow for exceptions such as when the State is completing a redetermination. They suggested that HCFA also should be restricted to the same timeframe for returning case records to the States. One commenter recommended a timeframe of 7 working days from receipt of request for States to mail case records to HHS staff.

Response: In response to these comments, we have revised § 431.818 to clarify that States must mail the requested case records within 10 working days from receipt of request. This clarification will allow States more time to prepare the necessary documents for mailing by eliminating weekends and holidays from the 10-day timeframe. In addition, we have provided an additional 3 working days on a case-by-case basis, as approved by HCFA, to allow for exceptional circumstances. However, since HCFA must conduct its own review of these documents to determine the correctness of eligibility determinations, it is not reasonable to impose the same timeframe on regional offices for analyzing these cases, verifying eligibility, and returning case records to the States as for States to mail case records to HCFA.

Comment: Three commenters expressed concern for safeguarding case information and recommended that case records should be registered and insured and mailed to post office boxes. Two commenters also indicated that they cannot mail IRS information because of security agreements with that agency.

Response: The proposal was intended to expedite access to case records for more timely re-reviews and also to provide States with more timely input on the quality of reviews. We agree with the commenters that safeguards of records mailed are necessary. HCFA regional offices will provide for case records to be mailed to a post office box and returned to the State or local agency by certified mail with return receipts. However, we are not revising the final rule since these are procedural matters and need not be addressed in regulations.

Comment: Three commenters indicated that the procedure for requesting case records suggests that these requests must be made in writing and must specify the files required and documents needed. One of the commenters recommended that requests for records be made directly to the local agency rather than the State agency. Another commenter contended that HCFA should continue to send its staff to the county offices to review case records as a cost-effective alternate method.

Response: In response to these comments, we have revised the regulations (§ 431.818) to provide that requests for records will be made in writing. However, whether the request is made to the State agency or the local agency should be agreed to by each State and its regional office, based on efficiency and administrative ease. We have retained in the final rule the provision that the State may use an alternate method as approved by HCFA.

Provisions of the Final Regulations

We have adopted the proposed regulations under § 431.818 as final regulations with three changes: We have allowed States 10 working days instead of 10 calendar days of receipt of a request for agency records to mail records to HHS. We also have allowed for an extension of this time, up to 3 additional working days, in exceptional circumstances. In addition, we have provided that requests for case records or other documents from States will be made in writing.

Corrective Action Plans

NPRM Provisions

The NPRM retained the existing requirements under § 431.800(i) for action to correct active and negative case errors and added a requirement that the agency submit revisions to the corrective action plan to HCFA within 60 days of identification of additional error-prone areas, other significant changes in the error rate, or changes in planned corrective action (proposed § 431.820). Under the proposal, States would be required to submit a report of its error rate analysis and a corrective action plan to HCFA by August 31 of each year.

Public Comments

Comment: One commenter opposed the submission of annual corrective action plans, and recommended that quarterly meetings be held with HCFA representatives to discuss corrective actions rather than States submitting written reports.

Response: Corrective action plans are important program documents used when considering States' good faith efforts in meeting the target error rate during the waiver process and serve as resource materials for evaluating how well States are developing and implementing corrective actions. They also are used to provide States with technical assistance by referencing particularly innovative and effective corrective actions developed by States. Although we encourage HCFA representatives to meet with States to discuss corrective actions, we do not believe that these meetings would adequately provide the information gleaned from States' corrective action plans. Therefore, we will continue to require States to submit annual corrective action plans.

Comment: One commenter believed that the regulation failed to define "significant changes" in the error rate when addressing the requirements for corrective action plans.

Response: We consider a "significant change" in a State's error rate as a change that the State experiences that increases or decreases its error rate and necessitates immediate corrective action or discontinuance of corrective actions that effectively control the cause of the error. We have revised the regulation to specify this meaning.

Comment: Commenters recommended that the deadline for submitting corrective action plans be changed from August 31 to September 30 or October 31 to allow for the preparation and dissemination of data analysis received on June 30.

Response: We have provided in the final rule revised completion timeframes for submitting reports and findings on eligibility and payment reviews to accommodate States' concerns for administrative ease. Based on these revised completion timeframes and States' concerns in having time to incorporate data analysis in the corrective action plan, we have revised the final rule to provide a due date of September 15 for submittal of corrective action plans. We established this due date on the basis that it allows States ample time to incorporate data analysis and to have the corrective action plan considered during the good faith waiver process should the State be held disallowance liable. Under the good faith waiver process, documentation submitted after September 30 is not considered. The September 15 due date provides States with an additional 15-day grace period for late submission before the corrective action plan would be disregarded in the waiver process.

Provisions of the Final Regulations

We have adopted the proposed regulations on corrective actions as final rules with two changes: We have provided a new due date of September 15 for States to submit corrective action plans to HCFA. We have explained the meaning of "significant changes" in a State's error rate.

Resolution of Differences in Federal and State Case Findings

NPRM Provisions

In the January 1987 NPRM, we proposed to incorporate into the regulations procedures currently contained in the State Medicaid Manual under which States are notified by letter of a difference between State and Federal case findings (proposed § 431.822). We proposed to allow States 28 calendar days to respond to the letter and incorporated into the regulations the final authority of the Regional Administrator to resolve differences.

Public Comments

Comment: Three commenters indicated that they did not believe the Regional Administrator could be an objective authority and one commenter suggested that someone in a more neutral position should have final authority for resolving differences. Two commenters suggested that the central office should be the final authority. Eight commenters indicated that the Regional Administrator's decision should be appealable.

Response: We do not agree that the Central Office should be the final authority because the Regional Administrator is an objective authority in resolving differences. Factual disputes can be objectively resolved by determining the actual case circumstances as of the review month. Policy disputes can be settled objectively by the Regional Administrator in his or her official capacity as approver and interpreter of the State's plan. As such, the Regional Administrator must ensure that the final decision on a quality control difference case is guided by the appropriate and correct policy or State plan application to the case, regardless of whether it sustains or reverses the Federal finding. The Regional Administrator's decision could be appealed to the Departmental Appeals Board as part of the disallowance appeal process should the case contribute to a disallowance.

Comment: One commenter indicated that State representatives should be able to present their position on unresolved differences directly to the

Regional Administrator and suggested that the final rule reflect this process.

Response: In response to this concern, we have provided in the final rule that States may request a direct presentation to the Regional Administrator of their position on unresolved differences (§ 431.822(c)). However, since the Regional Administrator is the final authority in deciding unresolved differences, he or she has the discretion to resolve differences through a direct presentation by the State or other methods as appropriate.

Comment: One commenter pointed out that the Medicaid quality control handbook allows 28 calendar days for the State to respond to difference letters but, in fact, the Regional Office may shorten this period (and has done so in the past). The State recommended the regulation remove this option from the Regional Office since it is solely for its convenience.

Response: The proposal did specify that States have 28 calendar days to respond; no exceptions were included. However, we should have included an exception because the regional offices must have discretion to digress from this timeframe when differences must be resolved quickly to meet case completion deadlines. Therefore, we have retained in the final regulation the 28-calendar day timeframe for States to respond to difference letters and further clarified it to specify that this period may be shortened upon a finding by the Regional Office that it is necessary to do so in order to meet a case completion deadline and the State still has a reasonable period of time in which to respond to the letter.

Provisions of the Final Regulations

We have adopted the proposed regulations as final with two changes: We have provided that a State may request a direct presentation of its position in a difference situation to the Regional Administrator. We also have provided that the Regional Office has limited discretion to shorten the timeframe for States to respond to difference letters.

Definition of Technical Error

NPRM Provisions

A "technical error", as defined in the congressional report accompanying TEFRA (H. Rep. No. 760, 97th Cong., 2nd Sess. 439 (1982)), is an error in an eligibility condition that, if corrected, would not result in a difference in the amount of medical assistance paid. In the NPRM, we proposed to exclude from the definition of technical error those errors resulting in failure to obtain

social security numbers and failure to assign rights to third party benefits as a condition of eligibility for Medicaid (proposed § 431.865(b)).

Section 2367 of the Deficit Reduction Act (DRA) added a new section 1902(a)(45) to the Social Security Act and amended section 1912 of the Act to require Medicaid applicants and recipients to assign to the State their rights to third party payments as a condition of eligibility. As a result, the amount of medical assistance paid could be different because States will recoup payments from third parties. Similarly section 2651 of the DRA added a new section 1137(a) to the Social Security Act which mandates that States require, as a condition of eligibility, the furnishing of the social security number (SSN) of each applicant for or recipient of Medicaid. The social security number is then used as an identifier when requesting wage and unearned income information for determining eligibility. Again, the amount of medical assistance paid could be different when the agency obtains wage or unearned income information affecting the individual's eligibility or payment liability or both. These two provisions were mandated by law as conditions of eligibility after previous legislation enacting section 1903(u) of the Act (TEFRA) defined technical errors. Because noncompliance with these provisions could result in a difference in the amount of medical assistance paid which would no longer reflect the definition of technical errors, we proposed to make failure to obtain social security numbers and failure to obtain assignment of rights to third party payments countable errors.

We also proposed to revise the definition of technical errors to clarify that errors other than those listed in the regulations would be classified as technical errors only after they have been approved by HCFA and instructions have been issued to all State agencies advising them of the approved technical errors. This change was proposed to ensure that technical errors are applied uniformly nationwide.

Subsequent to publication of the proposed rule, Congress passed section 4118(n) of the Omnibus Budget Reconciliation Act of 1987 (OBRA) (Pub. L. 100-203) which, for purposes of 1903(u)(1)(E)(ii) of the Social Security Act, defined technical error to specifically include assignment of social security numbers and assignment of rights to third party benefits as examples. Although the technical error definition was temporarily effective from December 22, 1987 to December 31, 1988, we are withdrawing our proposal

to make these assignments as countable errors. We believe Congressional intent was clear that these conditions of eligibility should be examples of a technical error. Therefore, the technical error definition as currently contained in § 431.804 (proposed 431.865(b)) will remain.

Public Comments

We received numerous comments on the proposed exclusion of SSNs and assignment of rights from the definition of technical error. However, since we are withdrawing our proposal in response to section 4118(n) of OBRA, it is not necessary to address these comments.

Comment: Seven commenters suggested that HCFA should not have to approve technical errors because the law provides a clear definition. Two commenters suggested that HCFA should allow States to request consideration of an error as a technical error when the error is detected by the State quality control unit and the State should not be required to report any misspent funds until HCFA has determined if the error was a technical error.

Response: HCFA must maintain approval of technical errors to ensure consistent nationwide application of the definition of technical error. To approve an error as a technical error by any means other than proper policy dissemination through the State Medicaid Manual would result in the unequal treatment of States since application of the definition otherwise could vary according to State-by-State interpretation. Therefore, new technical errors as approved by HCFA must be applied prospectively as of the effective date of the appropriate instructions issuance. Further, until HCFA has approved a technical error through manual issuance, quality control errors will continue to be cited as appropriate. If a State disagrees with HCFA's application of the technical error definition, it is free to raise the issue before the Departmental Appeals Board in any appeal it may file from a disallowance based on errors of the type the State believes to be technical.

Comment: Six commenters cited two situations in which verifying or obtaining a social security number is difficult or impossible, but should not prevent the individual from being otherwise eligible. The first example is young children or children awaiting adoption. These cases rarely have social security numbers, or it is difficult to verify them due to confidentiality of records. The second example is illegal

aliens who are entitled to receive emergency services notwithstanding the fact that the Social Security Administration is prohibited from assigning social security numbers to such individuals.

Response: These comments reflect in part problems that States have with the statutory requirement that social security numbers be obtained as a condition of eligibility. Congress addressed the problem of obtaining social security numbers for illegal aliens by amending section 1137 (a) and (d) of the Social Security Act to provide that aliens seeking medical assistance for emergency medical conditions do not have to provide their social security numbers to the State (section 411(k)(15) of the Medicare Catastrophic Coverage Act of 1988). Although States may have difficulty verifying the social security numbers for children, particularly those up for adoption, the problem with access to confidential records is not restricted to social security numbers but to all elements of eligibility. We addressed this problem of records access by eliminating foster care and adoption assistance cases under title IV-E of the Act, since a definitive eligibility determination most often could not be made on these cases.

Provisions of Final Regulations

We have withdrawn our proposal to exclude assignments of social security numbers and rights to third party benefits from the category of technical error. The definition of a technical error as currently set forth in § 431.804 (now § 431.865(b)) will remain. We have retained the proposed process for classifying technical errors.

Rebutting the Projected Error Rate

NPRM Provisions

Under existing regulations (§ 431.804(d)), HCFA projects a State's error rate as the lower of its most recent 6-month or 1-year error rate. If a State believes its projected error rate is not representative of current experience, the State may submit statistically valid evidence that demonstrates, with more recent data, that its error rate is statistically significantly lower than that projected by HCFA. This evidence must consist of a sample of at least 100 cases from one or more consecutive months of more recent data that shows an error rate statistically significantly lower than that projected. The sample must be validated by HCFA using acceptance sampling procedures.

In the NPRM, we proposed to eliminate this rebuttal process. We have found that the rebuttal process

consistently underestimates the final error rate for the corresponding period. Our proposal was supported by a Federal court ruling (*New Mexico, et al. v. Otis R. Bowen*, No. 84-2129, D.D.C., October 31, 1986) which held that the statute requires only that estimated projected error rates be adjusted appropriately if they prove to be inaccurate when actual data from the relevant period become available. This court decision affirmed that the statute does not require any specific formula or procedure for estimating projected error rates and does not provide for challenge to, and interim adjustments to, anticipated error rates.

Public Comments

Comment: Thirty-two commenters responded to our proposal to eliminate States' opportunity to rebut projected error rates. Two commenters claimed that reduction of a grant award on the basis of an anticipated error rate without an opportunity to rebut is inappropriate.

Response: The reduction of the grant award is a part of the estimation process established by section 1903(d) of the Act. An appeals process is provided only for final action. Appeals are permitted, by statute, only after a final disallowance is taken, in this case, based on the actual error rate.

Moreover, the quarterly withholdings are based on the statutorily required estimates of erroneous expenditures and do not represent actual data or final disallowances, but rather reductions to the State's estimates of expenditures. The Senate Finance Committee report accompanying the legislation authorizing disallowances when a State does not achieve an error rate below the 3-percent national standard clearly states that these error rate estimates will not be adjusted until actual error rates are available (S. Rep. No. 194, 97th Cong., 2d Sess. 39 (1982)).

Comment: Commenters claimed that the proposed method of computing the projected error rate did not have an acceptable mathematical statistical basis, and suggested that HCFA use a different method for statistically projecting the error rate.

Response: We do not agree with this comment. We are not proposing a new method of projecting States' error rates but rather will continue the current method. This method was selected based on a comparative analysis of a number of methods, including statistically projected error rate trends.

Comment: One commenter was concerned that States may have taken corrective actions that would invalidate

the projected error rates that are based on historical data.

Response: Effective corrective actions may lower a State's error rate, and we encourage States to implement effective corrective actions to reduce errors. However, the effect of corrective actions on the error rate can be measured accurately only when data from a full sample are available for estimating the error rate. The rebuttal sample, although more current than the data used to project error rates, is inadequate to quantify the effect of corrective actions on the error rate since its scope is restricted to a narrow span of time and to a relatively small sample size.

Comment: Two commenters believed that the proposal would lead to increased litigation.

Response: It is not our intent to increase litigation with this proposal. As stated in the NPRM and earlier in this document, our studies have shown that the current rebuttal process consistently results in projected error rates lower than the final observed error rate. Since the statute does not provide for States to rebut projected error rates, we are not denying due process by restricting the rebuttal process to correction of data errors. Therefore, we will retain our modified proposal in the final rule.

Comment: Two commenters stated that States must have an opportunity to refute the projected error rates if HCFA will continue to withhold Federal funds. Six commenters suggested that States be allowed, at a minimum, to present evidence that HCFA calculated the projected error rate incorrectly.

Response: The statute at section 1903(u) of the Act specifically instructs the Secretary to adjust States' quarterly grants of FFP based on projected error rates and provides an appeal process for States only when the disallowance amount, based on final data, is established. However, in response to States' suggestions, we have revised the final rule to provide States the opportunity to present evidence that the projected error rate is based on erroneous data (§ 431.865(d)(2)). The evidence must be related to data errors only and not to the computational methodology used to project error rates. We have provided in the final rule that a State must notify HCFA of its intent to submit evidence at least 70 days before the beginning of the quarter. The regulation also provides that a State requesting validation of the HCFA data used to project its error rate must request the data within 7 days of receiving notification of its projected error rate. A State will have up to 40 days before a quarter begins to present

evidence that its error rate was projected based on erroneous data. After analyzing the State's evidence, HCFA will notify the State of its final projected error rate.

Comment: Seven commenters recommended that the rebuttal process be revised, or, if it is eliminated, that HCFA also eliminate prospective withholdings.

Response: As stated in the NPRM, we have carefully evaluated alternatives to the current rebuttal format. The alternative methods have proven that the rebuttal process consistently underestimates the true error rate and does not improve estimates. Further, as stated earlier, HCFA is under legislative mandate to withhold estimated excess misspent Federal funds.

Comment: One commenter recommended that the rebuttal process be eliminated until an accurate measure of the error rate can be developed.

Response: We disagree that the error rate projection method is inaccurate. Prospective withholdings are based on a reasonable estimate of final misspent dollars, that is, data from the most recent year or 6-month period. States have options available through alternative sampling methods to improve the precision of this estimate.

Comment: One commenter expressed concern that projected error rates without rebuttal do not comply with statutory requirements.

Response: The statute expressly provides for prospective estimated withholdings, without making any provision for rebuttal. HCFA provided States the rebuttal option in an effort to obtain the most accurate basis for projecting error rates. However, the actual effect of rebuttal, that is, consistently understating prospective withholdings, would indicate that rebuttal is less accurate and therefore arguably conflicts with the intent of the statute.

Comment: One commenter questioned how elimination of rebuttal would strengthen the program.

Response: Elimination of rebuttal would eliminate the associated consistent underestimates of withholdings. These mandated withholdings provide a clear incentive, absent the lengthy delays involved in the final disallowances, for States to reduce their levels of mispayments and therefore improve their program administration.

Comment: One commenter claimed that, in proposing to eliminate rebuttal, HCFA did not consider that States have successfully rebutted projected error rates or that States with error rates under 3 percent may experience an

atypical period, or State claims as to alleged inadequacies in the MEQC error rate measurement system.

Response: The proposal to eliminate rebuttal is the direct result of an analysis of States that have successfully rebutted, only to have consistently higher final error rates. States with final error rates below the national standard will be accommodated by the final net disallowance of zero. We believe the current method of determining error rates is accurate, subject only to possible imprecision over which the States have direct means of control.

Comment: One commenter questioned why HCFA projects anticipated error rates in light of the fact that the AFDC and Food Stamp programs do not.

Response: Unlike the AFDC and Food Stamp programs, HCFA is required by statute, under section 1903(u) of the Social Security Act, to project error rates and take prospective withholdings.

Comment: One commenter suggested that HCFA should pay the State interest if the final error rate is less than the projected error rate.

Response: HCFA properly offsets the prospective withholding against the final disallowance. If the result is overwithholding, HCFA makes an appropriate adjustment. There is no statutory authority to make allowances for the interest value of money in those relatively rare cases in which a State's final error rate is below the projected error rate.

Comment: Seven commenters believed that elimination of rebuttal is inappropriate pending the finalization of the COBRA studies.

Response: The rebuttal process results in consistent underestimation of State error rates and prospective withholdings. This is inconsistent with good program administration with which HCFA is charged. However, as stated earlier in this preamble, we delayed publication of this final rule until after the COBRA requirement at section 12301(c) expired. Neither the National Academy of Sciences nor the Department made recommendations addressing this area of the MEQC program.

Comment: Commenters recommended the use of the statistical lower limit of the confidence interval or an average percentage of error for determining withholdings.

Response: The lower limit or any other arbitrary measure is not a good estimate of the future disallowance, which is based on the point estimate. This would lead to consistent underestimates of withholdings inconsistent with the intent of the prospective withholding requirement.

Provisions of the Final Regulations

In the final rule, we have modified the proposal to eliminate States' opportunity to rebut projected error rates under § 431.865(d)(2) by allowing them to present evidence, within a specified timeframe and under certain conditions, that the projected error rate was based on erroneous data.

Good Faith Waivers

NPRM Provisions

Section 1903(u) of the Social Security Act provides that the Secretary may waive all or part of disallowances of FFP in erroneous Medicaid payments for States that demonstrate good faith efforts to reach the national standard error rate of 3 percent. Existing regulations under § 431.804(e) set forth the criteria under which waiver requests are evaluated. In the NPRM, we proposed to revise the regulation to establish a performance-based threshold that States must meet before HCFA will consider a waiver request (§ 431.865). We proposed that, for erroneous payments identified in sample periods beginning October 1986, a State's error rate (after taking into account extraordinary external events such as natural disasters, as provided for in the regulations) must be less than its error rate for the preceding sample year and must not exceed the national mean error rate for the sample period under review (unless that national mean error rate is below the 3-percent national standard).

The proposal included the provision that all States may continue to submit waiver requests based on extraordinary external events and circumstances (e.g., natural disasters), regardless of their actual error rates.

The NPRM included the following proposed criteria for evaluating State waiver requests:

- Operation of a quality control system in accordance with Federal regulations and HCFA guidelines (e.g., adherence to Federal case completion requirements and verification standards).

- Formulation of error reduction initiatives based on the following processes:

1. Performance of accurate and thorough statistical and program analyses for error reduction purposes that utilize quality control and other data;

2. The translation of such analyses into specific and appropriate error reduction practices for major error elements; and

3. The use of monitoring systems to verify that the error reduction initiatives

were implemented at the local office level.

- The operation of the following systems supported by evidence of the timely utilization of their outputs in the determination of case eligibility and liability amount:

1. The implementation and maintenance of Income and Eligibility Verification Systems as mandated by section 1137 of the Social Security Act; and

2. The operation of systems that interface with additional Social Security data, e.g., where the agency has access, data relating to motor vehicle, vital statistics, and State or local income and property taxes (where these taxes exist).

- The use of the following accountability mechanisms to ensure that agency staff adhere to error reduction initiatives:

1. Performance standards indicating that appraisals for supervisors and workers include accuracy of eligibility and liability determinations and timely processing of case actions as quantitative measures of performance;

2. Selective second-party case reviews are conducted. The review results are periodically reported to higher level management, as well as to supervisors and workers, and are used in employee appraisals; and

3. Regular operational reviews of local offices are performed to evaluate the offices' effectiveness in meeting error reduction goals with periodic monitoring to ensure that review recommendations have been implemented.

In the NPRM, we also proposed to include in the regulations text an expressed statement to the effect that HCFA's decisions on waiver requests are not subject to the Departmental Appeals Board procedures (proposed § 431.865(f)). Although this statement merely restates existing law, we believe it is beneficial to make this explicit as some States have attempted unsuccessfully to appeal waiver decisions to the Board.

The NPRM also proposed to change the timing of State waiver requests for the periods beginning October 1, 1986 and subsequent periods so that eligible States would be required to submit their requests within 30 days after receiving the notice of their error rates and the amount of potential disallowance (§ 431.865(e)).

Public Comments

Performance Threshold

Comment: Twenty-nine commenters responded to our proposal to establish a performance-based threshold for States to meet before HCFA will consider

requests for good faith waivers of FFP disallowances. Of these, 20 opposed the threshold because they felt it excludes States falling in the following categories from applying for good faith waivers: States with neither an increase nor decrease in error rate from the prior year; States achieving error reduction but not below the national mean error rate; States that need more than one year for designed corrective actions to effect error rate reduction; States with prior error rates below 3 percent; States that experience an increased error rate due to an atypical period.

Response: The performance-based threshold reflects congressional intent that the Secretary consider the State's record of improvement over a period of years when evaluating the State's waiver request based on its good faith efforts (S. Rep. No. 194, 97th Cong., 2d Sess. 37-38 (1982)). In addition, we have established the performance threshold to conform with the current AFDC requirement at 45 CFR 205.44(g) that good faith waiver requests would be considered if the State has demonstrated some error reduction from the last assessment period. Thus, HCFA will afford consideration of waiver requests only to those States demonstrating improvement by achieving an error reduction from the prior year. States with error rates identical to their prior year's error rate would not have achieved the error reduction necessary to meet the performance-based threshold for HCFA's consideration of waivers. However, States that achieve error reductions from the prior period would not need to surpass the national mean error rate before HCFA would consider waiver requests since the national mean error rate is currently below 3 percent. Should the national mean error rate increase above 3 percent, the States' error rates must not exceed the national mean before we will consider a good faith waiver. HCFA will not consider waiver requests from States that need more than one year to achieve error reduction, since these States would not have met the threshold demonstrating improved performance.

We have revised § 431.865(e)(2)(v) of the final rule in response to the commenters' concern that the States with prior error rates below 3 percent cannot file waiver requests. We have provided that States with error rates below 3 percent for the prior two sample years will have waiver requests considered, provided the increased error rate does not exceed one-third of the national standard, that is, 4 percent. We believe it would not be consistent with congressional intent to deny States

sustaining superior performance from consideration. However, neither would it be consistent to allow an unconditional error rate increase.

States experiencing an atypical period that increased error rates above the error rates for the prior period would not have met the threshold demonstrating improved performance.

We have retained the performance-based threshold in the final regulations on the basis that, as amended, it conforms to congressional intent that a State show a record of improvement over a period of years when considering waivers of disallowances.

Comment: Three commenters indicated that they believed that one case might affect the error rate.

Response: One sample case may, depending on the payment amount, error, and Federal subsample status, have an effect on the error rate. However, as each case in the sample is randomly selected, it is presumed to represent other similar cases in the universe. Assuming that a State has a sample design with adequate precision, all cases will be represented.

Comment: Two commenters pointed out that HCFA knows States' efforts to reduce error rates before they are implemented by review of the corrective action plans and suggested that these corrective action initiatives should be the mechanism for allowing waivers.

Response: As part of the waiver process, States' corrective action plans are considered when evaluating good faith efforts to reduce errors. However, submittal of the corrective action plan is not sufficient for the waiver process because HCFA does not limit consideration of States' good faith efforts solely to corrective action plans. Error reduction can be achieved through additional management practices. Also, many corrective action initiatives are not implemented by the States by the target dates set by the States or are never implemented for various reasons.

Comment: One commenter suggested that States, and not HCFA, should decide whether or not to divert resources for filing good faith waivers without being preempted by an artificial performance-based threshold.

Response: The legislative history of section 1903(u) of the Act specifically states that consideration must be given in the waiver process to whether the State has shown a sustained record of improvement over the years. The performance-based threshold measures this record of improvement as intended by Congress and, therefore, is not an artificial threshold. We believe that States that do not achieve an error rate

reduction should concentrate resources on achieving an error reduction rather than on developing waiver requests.

Comment: Three commenters believed that our threshold proposal deprives States of the statutory right to file good faith waiver requests and is contrary to congressional intent that waivers not be predetermined but that a State-by-State evaluation be performed before a decision is made. They did not believe that actual error reduction is a statutory prerequisite to good faith waivers.

Response: We disagree with this comment. The legislative history to the good faith waiver process specifically calls for the Secretary to consider whether a State has shown a sustained record of improvement over a period of years as part of relevant circumstances in deciding whether to waive all or part of a disallowance. We believe it is consistent with congressional intent to require that a State achieve some error reduction from the prior year as an indicator of a record of improvement.

Comment: One commenter stated that the performance-based threshold would be a valid concept, except for policy and procedural changes that can alter a trend in State performance.

Response: Policy and procedural changes that are at the State's discretion can be anticipated and these changes should be controlled to minimize any impact on accurate eligibility determinations.

Comment: One commenter believed that the Federal role in creating new errors was not considered in the proposed performance-based threshold since State error rates can be adversely affected by Federal regulatory changes.

Response: The good faith waiver criteria have always allowed States to request waivers on the basis of sudden and unanticipated workload changes that result from changes in Federal law and regulations governing Medicaid policy. This final rule also provides this basis for waiver requests. States need not meet the performance-based threshold to file waiver requests on this basis. It should be noted, however, that these waiver criteria do not apply to changes in error definitions in the quality control program.

Comment: Four commenters claimed that the performance-based threshold discourages innovative corrective actions that in the long run expand a State's ability to identify ineligible cases. According to these commenters, such corrective actions can initially result in additional quality control errors which would preclude the State from requesting a waiver. One commenter contended that some corrective actions cause extraordinary internal problems

that may temporarily increase the error rate but should be recognized as good faith efforts.

Response: We disagree with these comments. Regardless of the performance-based threshold, States that discontinue identifying errors through effective corrective actions risk increased error rates resulting from error identification through quality control reviews and data. Therefore, it is to States' advantage to identify errors to maintain a low error rate or achieve a reduction in the error rate, thereby meeting the performance-based threshold. States are able to anticipate the workload activity and resource impact when developing corrective actions and can take preventive measures so the error rate is not increased when corrective actions are implemented.

Comment: One commenter suggested that the use of the performance-based threshold actually creates a national Medicaid error rate under 3 percent since a State could average out at the national average over a 3-year period but have one of the 3 years above the tolerance level. The commenter believed that the national mean error rate is too imprecise to use as a target for States to achieve.

Response: The national mean error rate is not imprecise and has been very stable over recent measurement periods. Therefore, HCFA believes that this national average performance level, which is representative of performance achieved by the States as a whole, is an inherently fair level of expectation. This holds true for individual measurement periods and is irrelevant for multiple periods, as the waiver process specifically addresses individual error rate periods.

Comment: One commenter claimed that denying States the opportunity to request waivers will force States to seek relief through the Federal court system, which could drive massive legal costs for both agencies.

Response: Experience suggests that States that are subject to disallowances will seek relief through litigation regardless of what waiver criteria appear in the regulations. Even if we believed that the addition of a performance threshold would give rise to increased litigation, however, the threat of litigation would be an inappropriate basis for agency decisionmaking. We are retaining the performance-based threshold in the final rule because we believe it is an accurate measure of States' record of improvement and, as such, is consistent with congressional intent in the good faith waiver process.

Comment: One commenter recommended that the effectiveness of a State's corrective action measures should not be based solely on a corresponding reduction in its error rate.

Response: We disagree with the commenter. States with good program analysis of error causes and subsequent corrective actions implemented will generally achieve some error reduction.

Comment: One commenter believed that the performance-based threshold is legally unsound because it imposes an error rate standard not authorized by Congress by limiting waiver requests to those States with error rates no higher than the national mean error rate.

Response: We do not agree with this comment. The error rate standard set by Congress at section 1903(u) of the Act is the only standard States must meet to avoid disallowances of FFP. Should a State not meet this 3 percent standard, Congress expressly provided the Secretary with discretion to waive all or part of the disallowance through consideration of the State's request for a waiver based on its good faith efforts to meet the standard. The waiver process is apart from the disallowance process in that it is a discretionary action by the Secretary after a State has failed to meet the error rate standard. Currently, waiver requests are not limited to those States with error rates no higher than the national mean error rate since the national mean error rate is 2.2 percent. Should that rate increase, however, we believe that meeting this national rate would be an appropriate minimum in order to be considered for a waiver based solely upon State efforts.

Comment: Four commenters recommended that States with error rates above the national mean error rate should be allowed to file good faith waivers. One commenter suggested that States with previous error rates at or below the national standard be allowed to file waivers.

Response: Since the current national mean error rate is below the 3-percent error rate standard established in section 1903(u) of the Act, States with error rates above the national mean error rate can file good faith waivers providing the States achieved some error reduction from the prior year. As stated above, however, to the extent this national mean error rate was higher than the 3-percent statutory standard, we believe that meeting this standard is appropriate to be considered for a good faith waiver.

Also, we have provided that States with error rates at or below the 3-percent national standard for the past 2 years can file waiver requests if the

increased error rate did not exceed one-third of the national standard (§ 431.865(e)(2)(v)).

Comment: Two commenters contended that the national mean error rate is irrelevant since it compares error rates of essentially different quality control programs. One of the commenters recommended the national mean error rate be redefined as the midpoint of a sliding scale range of acceptable performance to account for State's range of benefit programs offered. The other commenter recommended that a State be judged on its performance over several sample periods.

Response: HCFA recognizes that each State chooses to operate its Medicaid program in the manner appropriate to that State's environment. However, HCFA does not believe there is any fundamental reason that States should not be held accountable for administration of the program that they themselves have a large role in defining. The national mean error rate is a relatively stable and inherently fair indicator of attainable State performance levels.

Comment: One commenter suggested that the confidence interval of any State's sample should be considered in allowing and evaluating waiver requests in terms of the disproportionate cost a small State would have had to incur to produce findings of comparable validity to those of a larger population State.

Response: States can tighten their confidence intervals by several methods, including sample size increases and stratification. Stratification can dramatically improve precision at a minimal cost, although few States currently implement this method. HCFA does not believe cost precludes a State from attaining adequate precision levels. Based on this position, and the fact that confidence intervals are subject to adverse impact of poor State review practices, we do not believe any quantitative adjustment to waiver evaluations is warranted.

Comment: Two commenters contended that the error rate is not a valid measure of good faith efforts since they claim the error rates can fluctuate due to sampling variations as well as due to changes in the caseload's true payment error rate.

Response: The error rate is the only valid quantitative measure of State performance available to HCFA. As such, HCFA must use this error rate to evaluate a State's pattern of performance over time. States that believe their error rate precision is inadequate to support a conclusion of improvement or deterioration of

performance have various means at their disposal to improve that precision.

Comment: Two commenters suggested that HCFA should include a provision in the regulations that States experiencing atypical periods can use past low error rates as a criterion for filing good faith waivers.

Response: In response to the commenters, we have revised the final rule (§ 431.865(e)(2)(v)) to provide that HCFA will consider waiver requests from States with low error rates, that is, at or below 3 percent for the prior two review periods, provided the error rate did not exceed one-third of the national standard.

Comment: One commenter held that the threshold is unfair and unrealistic since not all States provide aid to all the optional groups. The commenter believed that the threshold should be waived or a separate threshold used for States aiding optional categorically needy Medicaid groups.

Response: We do not agree with this recommendation. There is no evidence substantiating a link between optional groups and the effect on error rates. The performance-based threshold requires a reduction in the State's error rate from the prior years as a means of measuring State performance. Therefore, the performance-based threshold does not disadvantage States on the basis of their program services.

Comment: One commenter believes that error rates could increase despite demonstrated commitment to reduce errors.

Response: We agree that error rates could increase despite the commitment to reduce errors in certain limited circumstances. As discussed previously, if a State error rate is below 3 percent for 2 consecutive years and then increases to no more than 4 percent, HCFA will consider that State's waiver request. We believe if a State maintains quality management practices in monitoring error trends and implementing effective corrective actions, it is unlikely the error rate would increase enough to prevent consideration of a waiver request.

Comment: Two commenters questioned how a State's error rate is adjusted if the State receives a waiver due to extraordinary circumstances, and whether a State is to make this adjustment itself or provide HCFA with information that may be necessary for this computation as part of the waiver process. The commenters also asked whether a State's adjusted error rate is subject to appeal, and if the error rate is above the national standard of 3 percent and is higher than the prior year, whether the State will be denied a

waiver request. The commenters recommended that a State not be subject to a disallowance unless its increased error rate from the prior year is shown to be statistically significant. The commenters urged an additional comment period on HCFA's response to their contention that the threshold favors States with high error rates.

Response: HCFA will adjust the error rate based on case documentation provided by the State as that part of its waiver request (§ 431.865(e)(2)(i) through (iv)) related to extraordinary circumstances. The adjusted error rate must then meet the performance-based threshold to determine whether the State achieved a sufficient error reduction for HCFA to consider a good faith waiver request. Only disallowances are subject to appeal to the Departmental Appeals Board.

We do not agree that States should be subject to a disallowance only if the error rate increases by a statistically significant margin. The purpose of the error rate reduction criterion for waiver consideration is to consider waivers in situations where improved performance can be demonstrated. Our position is that the burden is on the State to demonstrate an improvement in the error rate point estimate, which is the required measure of performance. A State concerned that its error rate is not sufficiently precise to demonstrate the true impact of corrective actions has means at its disposal, including stratification and retrospective sampling, to improve the precision. In view of this, we are not adopting this recommendation or providing an additional comment period. We have retained the proposal in the final rule.

Waiver Criteria

Comment: Eleven commenters opposed the October 1, 1986 effective application of the proposed waiver criteria. They indicated that, since States could not have these measures in place, it is unfair to judge States against standards not in effect during the period.

Response: We did not intend that States have measures in place complying with those under the proposed rule. We intended that the State fully meet the performance standards in the operation of the quality control system in accordance with the Federal regulations and HCFA guidelines that were in effect during the review period under consideration. However, since we have delayed the final rule because of the quality control studies mandated under COBRA, we have revised the final rule to provide that the waiver process as set forth in

this regulation will apply to disallowances for error rates exceeding 3 percent for annual assessment periods ending after the effective date of this regulation (July 1, 1990). Similarly, we have applied the performance-based threshold to annual assessment periods ending after the effective date of this regulation for consistent application of both procedures. Since actual error rates are calculated on an annual basis beginning each October through September, we have revised § 431.865(e) to apply these provisions to annual assessment periods beginning October 1, 1989 through September 30, 1990, and after.

Comment: Three commenters stated that it is premature to hold States accountable for IEVS implementation. One commenter contended that, since HCFA has not provided regulations implementing the congressional amendment to section 1137 that States may target systems data to error-prone cases, this criterion should be excluded until the law is clarified in regulations. One commenter recommended that if a major portion of IEVS is implemented, States should be given credit. Another commenter contended that the disruptive effect IEVS has had on States may actually increase State error rates rather than reduce them.

Response: The good faith waiver criteria at § 431.865(e)(2)(v)(C) evaluates the extent of States' utilization of systems data as obtained from operational systems to reduce errors. IEVS was included on the basis that States were required by Congress under section 1137 of the Social Security Act to use these data matches in eligibility determinations effective October 1, 1986. By the July 1, 1990 effective date of this regulation, States will have had more than 3 years to resolve any disruptive effect of IEVS implementation. Further, HCFA published interim final regulations on March 2, 1989 (54 FR 8738) to amend current regulations at 42 CFR part 435, subpart J, to allow States to target the use of IEVS. These regulations were effective on April 3, 1989, although comments received by May 1, 1989 are being considered. We have retained the operation of IEVS as an evaluating factor in these criteria since we believe that States requesting a waiver on the basis of good faith efforts should be complying with congressional mandates, particularly those designed to produce accurate eligibility determinations.

Comment: Three commenters recommended that the corrective action plans be used as the sole basis for good faith waivers.

Response: We disagree with this recommendation. States' corrective action plans are considered in the evaluation of good faith waivers. However, because corrective action plans could contain error reduction initiatives that have not been fully implemented or were discontinued, or may not contain actions designed to reduce new errors found in the previous sample period, the evaluation of these plans on the effects on error rate reduction and the States' overall good faith efforts is limited. Further, good faith efforts to reduce errors are not restricted solely to corrective action plans but can be initiated through other management practices. The waiver criteria address these other areas and, as such, afford States a wider range of evidence demonstrating good faith efforts.

Comment: One commenter objected to the fact that only identified good faith waiver criteria are used to judge good faith efforts because they do not necessarily measure other extraordinary efforts undertaken by the State.

Response: As stated earlier, we believe the criteria encompass error reduction initiatives, including, but not limited to, corrective actions. However, States are free to document any additional efforts made at error reduction beyond the criteria listed in § 431.865(e)(2)(v).

Comment: Two commenters stated that these criteria eliminate factors beyond the State's control and consideration of the annual corrective action plan. The commenter also asked for a definition of "substantial performance" so States may comment, under a suggested additional comment period, on its meaning.

Response: These criteria do not eliminate factors beyond State control since we have retained in the waiver process that States may request waivers on the basis of circumstances such as fire, flood, or civil disorders. Further, the annual corrective action plan is a major document considered in the evaluation of waiver requests submitted. Substantial performance of the State in the use of systems data and other resources designed to reduce errors is not expressly defined in the regulations because the Secretary needs the flexibility to apply this standard to specific circumstances on a State-by-State basis. Thus, it is not appropriate to restrict the Secretary to a rigid definition beyond the common meaning of this term.

Comment: One commenter recommended that States should not be held accountable for deficiencies in

meeting program requirements unless formally notified of such deficiencies by HCFA. The commenter further stated that the burden of proof that waiver documentation is not acceptable should rest with HCFA and asked what types of documentation States should submit with waiver requests.

Response: It is the responsibility of State management to ensure compliance with program requirements. HCFA regional office staff are available for technical assistance. Therefore, we are not adopting this recommendation. Prior to waiver submittal, HCFA provides States that are disallowance liable with the criteria on which good faith efforts are evaluated. States can submit any relevant documentation supporting good faith efforts. It is the obligation of the State to prove documentation is acceptable because under section 1903(u) of the Act, the State is subject to a disallowance if it fails to meet the 3-percent standard unless it is able to demonstrate to HCFA's satisfaction that it made good faith efforts to achieve that standard. HCFA provides those States that submitted waiver requests with summary explanations of the sufficiency of the documentation after the waiver request is evaluated.

Comment: One commenter recommended that Federal actions such as Federal computer problems that prevent States from complying with program requirements should be considered in the waiver requests.

Response: In evaluating past waiver requests, we have considered problems with State implementation of federally provided report production software. However, although we consider these external events, the primary purpose of waiver requests is for the State to demonstrate its good faith efforts to meet the national standard.

Comment: One commenter recommended that a better measurement of States' efforts is to ascertain that the State correctly identified errors and directed corrective actions to these cases. Another commenter recommended that a better measurement is the number of differences in State and Federal findings.

Response: These measurements are applied when evaluating efforts such as States' corrective actions, program analysis, and quality control data analysis. However, we believe it is more advantageous to States to use these measurements in addition to rather than in lieu of the other good faith waiver criteria.

Comment: One commenter suggested that the Federal re-review should follow

the same timeframes applicable to States if adherence to case completion standards is part of the waiver consideration. The commenter recommended that the waiver criteria also allow consideration of internal circumstances that may impact complete adherence to the timeframes in the regulations.

Response: The Federal re-review process does not prevent a State from completing its reviews and transmitting the findings within the required timeframes. We do not believe it is necessary to revise the waiver criteria specifically to allow for internal circumstances in the State since the waiver request may address any internal circumstance that may have impacted on the State's performance.

Comment: Two commenters objected to the criteria as requirements since they may not be cost effective for States to implement.

Response: The criteria are not requirements but are the bases on which good faith waiver requests are evaluated. Since the criteria are not all inclusive but represent corrective actions and other management practices that would best reduce errors, we would consider States meeting these criteria to have made good faith efforts to reduce error rates.

Comment: One commenter contended that the revised criteria add more burden on States in that these regulations require reviews of new complicated programs with strict verification requirements while ignoring external or internal events.

Response: We disagree with this comment. States should be applying the verification standards as contained in agency manuals as part of its current reviews. Therefore, incorporating these standards in these regulations should not impose a resource burden since they are not new requirements. Since the commenter did not specify those external or internal events that HCFA should consider, we cannot respond to this contention. However, we do believe the final rule does not add more burden on States since the verification procedures remain the same. Further, as the waiver criteria are not program requirements, States are not burdened with their implementation.

Comment: Seven commenters contended that the new criteria are restrictive, do not assure error reduction, inappropriately impose program requirements, and do not allow States to present documentation on their actual efforts.

Response: As stated earlier, States are free to present any relevant documentation supporting good faith

efforts. The waiver criteria are not program requirements but represent actions we consider the State should be performing to achieve error reduction. We do not believe that the waiver criteria are too restrictive since they set forth the minimum standards for achieving error reduction.

Comment: Three commenters asked that the criteria regarding the verification standards and HCFA guidelines at § 431.865(e)(2)(v)(A) be clarified and contended that no State can fully meet this factor.

Response: In evaluating waiver requests, we will consider whether the State fully met the regulatory requirements and implementing guidelines in operating its quality control system. We believe that a State not meeting program requirements such as all verification standards and all case completion and reporting timeframes has not demonstrated an effort to provide timely and accurate quality control data on which to base corrective actions and, therefore, has not shown a good faith effort to achieve the national standard. Further, since States currently should be using the verification standards and following other program guidelines, States should be able to fully meet this criterion.

Comment: One commenter suggested that terms like "substantial performance" and "accurate and thorough" are subjective and recommended that States be allowed to develop their own corrective actions since the commenter believes that corrective actions do not depend on technical procedures such as verification standards.

Response: Again, these terms are used in the context of evaluating State achievements. We have built-in procedures during waiver reviews to ensure these terms are consistently applied. The verification standards and other waiver criteria were designed to evaluate those State efforts to make accurate eligibility determinations for a reduced error rate and are not meant to impose specific corrective actions. We agree that States should develop individual corrective actions according to error causes and should not base corrective actions on technical procedures.

Comment: One commenter believes that the timeliness and verification requirements will have an impact on State error rates due to a State's inability to meet these requirements, and that States then will be denied waivers.

Response: We have revised the final rule to provide more liberal case completion timeframes than those

proposed in the NPRM. As we have previously noted, States have always been expected to use the verification standards. Therefore, these requirements should not be difficult for States to meet for purposes of compliance with regulations.

Comment: One commenter recommended that State quality control reviewers be excepted from the requirement to obtain accurate verification since Federal quality control reviewers can access more current information.

Response: It is the obligation of the State quality control reviewer to ascertain the actual case circumstances as of the review month regardless of when the case review or re-review is done. Therefore, we are not providing an exception to verifications requirements for State quality control reviewers.

Appeal of Waiver Decisions

Comment: Six commenters contended that it violates what they claim to be States' rights to "due process" to deny appeals on waiver decisions. Two commenters stated that the right to appeal is necessary to ensure waiver decisions are not arbitrary.

Response: We are not providing for appeal of waiver decisions because these decisions are committed to the Secretary's discretion under section 1903(u) of the Social Security Act. Further, the Departmental Appeals Board has held that waiver decisions are not appealable under current regulations so the statement to be included in this final rule in no way alters existing procedures.

Comment: One commenter believed that it is essential to have appeals at a level higher than the regional office. Three commenters suggested that all decisions causing the State loss of money should be subject to review by higher authority.

Response: Appeals other than the decisions on MEQC difference findings can be made at a level higher than the regional office. However, the method for calculating disallowance amounts is based in the statute at section 1903(u) on the extent to which the State's erroneous excess payment rate exceeds 3 percent of its total expenditures. The statute also mandates withholdings based upon a State's projected error rate. As such, the disallowances are mandated by statute and are not the result of a "decision" by any individual. A decision not to grant a waiver does not "cause" the State loss of money." It simply denies a State the possibility of retaining money which ordinarily would be withheld in accordance with section

1903(u). In such cases, it is the State's error rate in excess of 3 percent that is "causing the State loss of money." States may appeal disallowances of Federal funds to the Departmental Appeals Board.

Timeframe for Submitting Waivers

Comment: Twenty-four commenters opposed the reduction from 65 days to 30 days for States to file good faith waivers since 30 days does not allow enough time to prepare the waiver. States would diminish corrective action activity by diverting more staff to preparation of the waiver request.

Response: We have reconsidered the proposed timeframe in light of these comments. In response, we have provided in the final rule that States will continue to have 65 days from the date of receipt of notification of their error rates and the amount of the disallowance to file a good faith waiver request (§ 431.865(e)(1)(i)).

Provisions of the Final Regulations

We have adopted the proposed regulations on consideration of waiver requests based on good faith efforts as final regulations with the following changes:

We have revised § 431.865(e)(1)(i) to specify that States have 65 days from receipt of notification of their error rates and the amount of the disallowance to file good faith waiver requests.

We have revised § 431.865(e)(2)(v) to provide an exception to the performance-based threshold requirement—that is, we will consider a request for a good faith waiver if the agency has had error rates of 3 percent or below for the prior two review periods and its error rate does not exceed one-third of the national standard for the review period under consideration.

We have revised § 431.865 to provide that the performance-based threshold and the good faith waiver criteria will apply to annual assessment periods ending after July 1, 1990. We also have made a conforming change to § 431.864(e) to specify that the waiver provisions in this section apply to annual assessment periods from October 1, 1983 through September 30, 1989.

Basic Requirements

Public Comments

Comment: One commenter indicated that if States are required to operate the MEQC program in accordance with rules and "other instructions" established by HCFA (proposed § 431.810), HCFA should put these

"instructions" in writing prior to the implementation date.

Response: Although the final rule incorporates the most significant of the existing instructions into the regulation, it is not practical or appropriate to include all of the existing manual instructions and guidelines in the Code of Federal Regulations. Those instructions and guidelines that have not been incorporated in these regulations merely interpret or implement the provisions contained in regulations and are currently available in writing in the State Medicaid Manual.

Technical Changes

NPRM Provisions

In the NPRM, we proposed to make several technical changes in the definitions in the regulations on the elements of the quality control system and disallowance of FFP (proposed §§ 431.804 and 431.865(b)). We proposed to:

1. Amend the definition of "active case" to clarify the specific requirement that the individual or family be currently certified as eligible by the agency (§ 431.804).

2. Revise the definition of "eligibility errors" under proposed § 431.804 to make it consistent with the definition of "erroneous payments" under the regulations on disallowances of FFP under proposed § 431.865.

3. Clarify that the State agency includes the agency that has responsibility for the MEQC program within the State.

4. Clarify that the definition of "erroneous payments" includes Medicaid payments made for ineligible individuals in an overpaid AFDC case. These payments must be included as erroneous payments since they are payments for Medicaid services furnished to an ineligible individual and, as such, are misspent Medicaid funds.

5. Define "national mean error rate" as the payment weighted average of the eligibility payment error rates for all States (§ 431.865(b)).

6. Revise the regulations (proposed §§ 431.863(d)(3) and 431.864(d)(4)) to clarify that the estimate referred to throughout the regulations is the estimate as determined by HCFA to be used for purposes of payment, as opposed to the State's estimate. Confusion over this issue, including a misapplication of HCFA's policy which resulted in a lawsuit (*State of Alaska v. Margaret M. Heckler*, et al. (No. 85-024 (D. Alas., filed Oct. 4, 1985))), has highlighted the need for this clarifying change. The literal wording of the

existing regulations does not clearly reflect the intent of our operating policy.

Public Comments

Definition of Eligibility Error

Comment: Nine commenters responded to our proposal to revise the definition of eligibility error to make it consistent with the definition of erroneous payment. Five commenters recommended that we clarify the definition and substitute the word "authorized" for "certified". The commenters indicated that the term "authorized" is more appropriate than "certified" since many States use the term "certification period" when referring to that time when an individual is incurring medical expenses equal to excess income before being authorized as eligible to receive Medicaid services.

Response: Our intent in clarifying the definition of eligibility error is to ensure that it encompasses those individuals authorized to have Medicaid services provided during the sample month. Therefore, to accommodate the States' request, we have revised the definition in the final rule to substitute the word "authorized" for "certified".

Comment: Two commenters opposed the inclusion, in the definition of eligibility error, of recipients who are Medicaid eligible but were ineligible for services received. Two commenters indicated that these errors should be claims processing errors which, by definition, occur when FFP is claimed for a service not authorized under the State plan. One of these commenters stated that it is the provider's responsibility to ensure that the recipient receives only services for which he or she is eligible.

Response: We do not agree with these comments. Medicaid eligibility quality control reviews are specifically designed to identify payments made due to an error in the eligibility determination, e.g., when the State granted Medicaid under the wrong coverage group. As such, payments for services for which a recipient is not eligible are appropriately included in the definition of eligibility error, just as they are currently included in the definition of erroneous excess payments. However, when a provider is paid for a service not available to a recipient because of the system's failure to reject the claim, we would consider this payment a claims processing error.

Comment: One commenter disagreed with the inclusion of underpayments in the definition of eligibility error since they do not result in erroneous payments.

Response: The proposed revised definition of eligibility error was not intended to include underpayments. Cases involving underpayments are cited for purposes of providing States with case information in the management of the Medicaid program. We do not consider underpayments as eligibility errors; therefore, underpayments are not considered in this definition.

Comment: One commenter suggested that the regulation should require recipients to cooperate with the quality control reviewer.

Response: HCFA guidelines provide that States can drop cases where the recipients do not cooperate with the reviewer. States can refer those cases to the local agency that has authority to terminate Medicaid eligibility. Since this process addresses the problem, the final rule need not be amended to include this provision.

Comment: One commenter suggested that HCFA should establish a policy to allow a time period during which new quality control errors are identified for corrective action purposes and are not counted in the error rate. The commenter recommended this change so that States have time to implement corrective actions based on initial findings before a disallowance of Federal funds is imposed.

Response: We cannot adopt this recommendation. Section 1903(u) of the Act prohibits erroneous expenditures above the national standards. A policy of disregarding errors so States may implement corrective actions based on initial quality control findings is not permitted under the statute. Therefore, errors will continue to be appropriately cited. However, it should be noted that States which can demonstrate that their excessive error rates were due to sudden and unanticipated workload changes or a rapid unanticipated caseload growth resulting from changes in Federal law and regulation may qualify for good faith waivers under current regulations to be recodified at § 431.865(e)(2).

Definition of Erroneous Payment

Comment: One commenter suggested that underpayments should not be defined as erroneous payments since they do not result in misspent funds. These payments should be detected through the claims processing assessment system.

Response: We agree that underpayments do not result in misspent funds. The definition of erroneous payments does not include underpayments.

Comment: One commenter contended that to include payments made for ineligible AFDC/Medicaid recipients creates more work for State quality control reviewers because there will be additional requirements for eligibility and payment reviews.

Response: As stated in the proposed rule, payments made for services furnished to individuals ineligible for Medicaid are misspent funds regardless of the categorical relationship, and as such, should be considered as erroneous payments. Further, we do not agree that there will be additional requirements for eligibility and payments reviews since the reviewer can determine Medicaid eligibility using the income and resource information in the case record as established by AFDC in determining AFDC ineligibility and as the claims for the AFDC case just be collected in any event to determine the amount of misspent funds. Therefore, we are not revising the final rule to exclude these cases.

Comment: One commenter suggested that the definition of erroneous payments (and eligibility error) should exclude persons in prepaid health plans because the number of clients enrolled in prepaid health plans has increased and this increase enhances the potential for erroneous payments.

Response: Persons in prepaid health plans receive Medicaid services and are appropriately included in the MEQC universe for sampling purposes. Further, States can control these types of errors by ensuring that individuals are truly eligible in the month of enrollment. Therefore, we have not changed the regulations to provide for exclusion of enrollees in prepaid health plans.

Definition of Active Case

Comment: One commenter stated that, under current policy, active cases not currently certified are evaluated in the review month. However, when a case does not fall into this situation, the case finding is usually eligible. The proposed clarification of the definition of active cases would make this case ineligible.

Response: The proposed revision of the definition of active case was designed to make clear that active cases are those cases currently certified eligible by the agency as opposed to those currently eligible as not defined in § 431.800. The clarification was intended to more accurately reflect the circumstances of the case since a case currently "certified" as eligible may or may not be actually eligible, whereas a case "currently eligible" could have been misconstrued to apply only to cases which are actually eligible. However, in view of States' comments

regarding the use of the word "certified" in this definition and the definition of eligibility error, we have revised the definition of active cases to substitute the word "authorized" for "certified".

Administrative Period

NPRM Provisions

In the NPRM, we proposed to define the "administrative period" in the MEQC program. The current administrative period provides for a period of time for Medicaid recipients to report changes in their categorical or financial circumstances, for the State agency to act on these changes, and for timely notice to be given to these recipients of any changes in their Medicaid eligibility. For purposes of MEQC reviews, a change of circumstances has been viewed as a change in a common program area (for example, basic program requirements, resources, or income). Because of concern expressed regarding the existing definition of a change of circumstances, and after discussions with the State TAG group, in the NPRM we invited comments on the following options for defining the administrative period:

1. Retain the current definition of the administrative period, including the present definition of a change of circumstances.

2. Revise the current definition of the administrative period to apply it to individual changes in program areas. In this manner, a change in employment income and a change in the receipt of a pension each would have the administrative period applied to them, although they were both in the same program area.

3. Abolish the use of the administrative period.

4. Revise the current definition of the administrative period to apply the change of circumstances only to the change that first makes the case incorrect. Thus, for example, if the case becomes incorrect because of the absence of a basic program requirement and subsequently has excess income, the case would be coded in error after the administrative period expired for the absence of the basic program requirement.

The State TAG group recommended the second option because it believed that the State agency should have an administrative period of time in which it can act on each change in an individual's circumstances. HCFA recommended the fourth option. The administrative period provides adequate time to correct the case for any errors

occurring outside of the administrative period. If all these errors were properly acted upon, the administrative period would result in all changes of circumstances within the period to be disregarded and no error being cited. To apply the period otherwise provides no relationship to the MEQC concept of review as a point of time, that is, the review month.

Public Comments

Comment: Thirty-five commenters responded to our proposal to define the administrative period in regulations. Twenty-nine recommended the selection of option 2 which allows application of the administrative period to individual program changes because it is nearly consistent with eligibility regulations and allows States time to act on each change in the case.

Response: We do not believe that this recommended definition results in the best application of the administrative period for MEQC purposes because States would not be held accountable for failing to take prompt action to correctly adjust a case due to changes occurring outside the review month. The current application of the administrative period takes into account the time States need to act on changes in case circumstances occurring in the review month and the month prior to the review month while holding States responsible for all changes if the case was also in error prior to the administrative period. However, when the agency fails to identify and act on an error occurring outside the administrative period but the case is correct in the review month (for example, when excess resources are disposed), even though the State could have acted to correct the case but did not, the error is not cited for purposes of MEQC. However, should a State fail to identify and act on an error occurring outside the administrative period which causes the case to be incorrect in the review month, an error is cited for MEQC purposes. The commenters' contention that an administrative period should apply to each case change is inappropriate since States would not be held responsible for failing to take appropriate action to make a case correct in accordance with eligibility requirements at 42 CFR 435.916(c). Our position is that the most accurate MEQC case review findings are achieved by considering the case circumstances without application of the administrative period. We believe the current application of the administrative period is the best method of providing a reasonable hold harmless provision for making adjustments to cases based on changes in circumstances by citing

errors occurring outside the administrative period only when the agency failed to take timely action to adjust the case to be correct by the review month. Therefore, we are retaining the current application of the administrative period by definition in the final rule.

Comment: Five commenters recommended that the current definition be retained because it is cost effective and adequately allows time for States to make necessary changes to cases. Two of these commenters recommended the option described in the preceding comment only if the current definition is changed.

Response: We agree with this comment and, for reasons stated in the previous response, have retained the current application of the administrative period in the final rule.

Comment: Ten commenters opposed HCFA's recommendation that the administrative period be revised to apply only to the change that first makes the case incorrect because it is not consistent with Medicaid eligibility policy requiring advance notice to recipients.

Response: The administrative period is applied to all errors that fall within the period and is specifically designed to provide States the opportunity to detect changes in circumstances and provide timely and adequate advance notice as required by regulations.

Provisions of the Final Regulations

We have retained the existing definition of administrative period and incorporated it in the regulations under § 431.804, with a conforming amendment under § 431.812(e). The definition specifies that the "administrative period" means the period of time recognized by MEQC for State agencies to reflect changes in case circumstances, i.e., a change in a common program area, during which no case error based on the circumstance changes would be cited and encompasses the review month and the month prior to the review month.

Claims Processing

Public Comments

Comment: One commenter contended that existing fee-for-service oriented claims processing requirements are not suitable for a capitated health maintenance organization system, and wanted language to this effect included in the rule.

Response: In the NPRM, we did not propose to make any changes in the existing regulations relating to claims processing reviews other than to

recodify the provisions to avoid cumbersome regulations. Therefore, we have referred the comment to the responsible program unit in HCFA for consideration if any changes to the regulations on claims processing reviews are proposed at a later date.

Response to Public Comments

Because of the large volume of public comments that we usually receive on notices of proposed rulemaking, we cannot acknowledge or respond to them individually. However, we will address all public comments received on our proposed decision not to issue regulations to address the results of the COBRA studies in the preamble to any final document necessary to respond to comments on our proposal.

Regulatory Impact Statement

Executive Order (E.O.) 12291 requires us to prepare and publish a final regulatory impact analysis for any regulation that meets one of the E.O. criteria for a "major rule"; that is, that would be likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local governments, agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises in domestic or export markets. In addition, we generally prepare a final regulatory flexibility analysis that is consistent with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612), unless the Secretary certifies that a final regulation would not have significant economic impact on a substantial number of small entities. For purposes of the RFA, we find that these regulations would not have a significant impact on a substantial number of small entities as defined in section 601(5) of the Regulatory Flexibility Act.

In the proposed rule published on January 26, 1987, we explained several of the benefits to both the Federal Government and States we expect to derive from the Medicaid eligibility quality control initiative. These include, among others, assurance that Medicaid expenditures are made for eligible recipients and services only, a strengthened eligibility and payment review process, more State flexibility in implementing the quality control program, more timely exchange of AFDC and Medicaid data, and removal of a system that underestimates the extent of eligibility and payment determination

errors. These benefits apply equally to the provisions of this final rule. If we required less than a comprehensive strategy for monitoring Medicaid eligibility determinations and payments, we would be unable to hold State Medicaid agencies accountable for making proper Medicaid payments only to eligible individuals and for covered services in accordance with the requirements of the law.

The major thrust of the public comments on the cost impact of the proposed rule related to the impact of counting failure to obtain social security numbers and assignment of rights to third party payments as nontechnical eligibility errors. The majority of the commenters stated that this change in how eligibility errors are counted would increase States' error rates with the result being disallowances of FFP in Medicaid expenditures if the State's error rate exceeds the national standard. The commenters estimated that this change would result in overall losses of FFP for State Medicaid expenditures of more than \$100 million. There is no evidence to support this conjecture. HCFA does not have, nor did the commenters provide, specific data that indicate the number of times Medicaid agencies fail to obtain social security numbers and assignment of rights to third party, or that indicate the likely occurrence of these as eligibility errors under the provisions of this rule. However, since the provisions of section 4118(n) of OBRA '87 retain the assignment of social security numbers and assignment of rights to third party payments as examples to technical errors, any errors related to these two conditions would not be counted as eligibility errors. No further impact analysis is necessary.

The commenters also indicated that administrative costs to States to implement the provisions of the revised regulations would increase considerably.

Many of the procedures and requirements incorporated in the regulations are already in agency manuals as minimum standards, and States should have been using them for some time. Others provide increased State flexibility. We believe that the benefits of those changes in the final rule that will help cut eligibility errors will offset any costs incurred by States to implement the requirements. The total administrative costs for Federal review of State eligibility records, including mailing costs of case records to HCFA, will be borne by the Federal Government. Other administrative costs associated with this final rule (for which

FFP is available to States) would have a negligible economic effect in terms of the criteria for a major rule.

This final rule will generate earlier savings to the Federal Government through higher levels of withheld Federal funds from States based on projected error rates. Since the final rule will permit States to rebut projected error rates only when there is evidence that the projections contain data errors, more Federal funds will be correctly withheld than previously when rebuttal was based on broader criteria. We estimate the level of withholdings to be \$24 million for each fiscal year beginning 1991.

For these reasons, we have determined that a regulatory impact analysis is not required. Further, we have determined, and the Secretary certifies, that this final rule will not have a significant economic impact on a substantial number of small entities, and we have, therefore, not prepared a regulatory flexibility analysis.

Paperwork Reduction Act

These regulations contain information collection requirements that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980. These requirements are currently approved by OMB under the following control numbers:

§ 431.806 *	State plan requirements.	0938-0179
§ 431.810 *	Basic elements of the MEQC program.	0938-0146
§ 431.812	Review procedures.	0938-0246
§ 431.814	Sampling plan	0938-0146
§ 431.816	Case review completion deadlines/ submittal of reports.	0938-0246
§ 431.820	Negative case action.	0938-0094
§ 431.830, 431.832, 431.836	Claims processing assessment system.	0938-0438

* The information collection requirements for 0938-0179 and 0938-0146 have expired. HCFA is currently preparing clearance packages to reinstate them.

Lists of Subjects in 42 CFR Part 431

Grant programs—health, Health facilities, Medicaid, Reporting and recordkeeping requirements.

REDESIGNATION TABLE

Existing section	New section
431.800(a)(1).....	431.802.
431.800(a)(2).....	431.800(a).
431.800(b).....	431.804.
431.800(c)(1).....	431.806(a).

REDESIGNATION TABLE—Continued

Existing section	New section
431.800(c)(2).....	431.806(b).
431.800(d)(1).....	431.810.
431.800(d)(2).....	431.814(g).
431.800(d)(3).....	431.812 (a) and (b).
431.800(d)(4).....	431.812(d).
431.800(d)(5).....	431.812 introductory statement and (e)(2).
431.800(d)(6).....	431.814(f).
431.800(d)(7).....	431.814(j)(1).
431.800(e).....	431.830.
431.800(f), introductory statement.	431.816(a).
431.800(f)(1).....	431.814(a).
431.800(f)(2).....	431.816 (b)(1), (b)(2), and (b)(3).
431.800(f)(3).....	431.816(b)(4).
431.800(f)(4).....	431.816(b)(5).
431.800(f)(5).....	431.816(b)(6).
431.800(g).....	431.832.
431.800(h).....	431.818 and 431.834.
431.800(i).....	431.820.
431.800(j).....	431.836.
431.800(k).....	431.808.
431.801.....	431.861.
431.802.....	431.862.
431.803.....	431.863.
431.804.....	431.864.

DERIVATION TABLE

New section	Existing section
431.800(a).....	431.800(a)(2).
431.800(b).....	New.
431.802.....	431.800(a)(1).
431.804.....	431.800(b).
431.806(a).....	431.800(c)(1).
431.806(b).....	431.800(c)(2).
431.808.....	431.800(k).
431.810.....	431.800(d)(1).
431.812 (a) and (b).....	431.800(d)(3).
431.812(c).....	New.
431.812(d).....	431.800(d)(4).
431.812(e), introductory statement and (2).	431.800(d)(5).
431.812(e) (1), (3), (4), (5), (6), and (7).	New.
431.814(a).....	431.800(f)(1).
431.814 (b), (c), (d), and (e).	New.
431.814(f).....	431.800(d)(6).
431.814(g).....	431.800(d)(2).
431.814 (h) and (i).....	New.
431.814(j), introductory statement.	New.
431.814(j)(1).....	431.800(d)(7).
431.814(j)(2).....	New.
431.816(a).....	431.800(f), introductory statement.
431.816(b) (1), (2), and (3).	431.800(f)(2).
431.816(b)(4).....	431.800(f)(3).
431.816(b)(5).....	431.800(f)(4).
431.816(b)(6).....	431.800(f)(5).
431.818.....	431.800(h).
431.820.....	431.800(i).
431.822.....	New.
431.830.....	431.800(e).
431.832.....	431.800(g).
431.834.....	431.800(h).
431.836.....	431.800(j).
431.861.....	431.801.
431.862.....	431.802.
431.863.....	431.803.
431.864.....	431.804.
431.865.....	New.

42 CFR part 431 is amended as set forth below:

PART 431—STATE ORGANIZATION AND GENERAL ADMINISTRATION

1. The authority citation for part 431 continues to read as follows:

Authority: Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

2. The table of contents for part 431 is amended by revising subpart P to read as follows:

Sec.

Subpart P—Quality Control

General Provisions

- 431.800 Scope of subpart.
- 431.802 Basis.
- 431.804 Definitions.
- 431.806 State plan requirements.
- 431.808 Protection of recipient rights.

Medicaid Eligibility Quality Control (MEQC) Program

- 431.810 Basic elements of the Medicaid eligibility quality control (MEQC) program.
- 431.812 Review procedures.
- 431.814 Sampling plan and procedures.
- 431.816 Case review completion deadlines and submittal of reports.
- 431.818 Access to records: MEQC program.
- 431.820 Corrective action under the MEQC program.
- 431.822 Resolution of differences in State and Federal case eligibility or payment findings.

Medicaid Quality Control (MQC) Claims Processing Assessment System

- 431.830 Basic elements of the Medicaid quality control (MQC) claims processing assessment system.
- 431.832 Reporting requirements for claims processing assessment systems.
- 431.834 Access to records: claims processing assessment systems.
- 431.836 Corrective action under the MQC claims processing assessment systems.

Federal Financial Participation

- 431.861 Disallowance of Federal financial participation for erroneous State payments (effective through September 1980).
- 431.862 Disallowance of Federal financial participation for erroneous State payments (effective October 1, 1980 through September 30, 1982).
- 431.863 Disallowance of Federal financial participation for erroneous State payments during the period April 1 through December 31, 1983.
- 431.864 Disallowance of Federal financial participation for erroneous State payments (effective January 1, 1984 through June 30, 1990).

- 431.865 Disallowance of Federal financial participation for erroneous State

Sec.

payments (for annual assessment periods ending after July 1, 1990).

3. Subpart P is amended as follows:

[[§§ 431.801, 431.802, 431.803 and 431.804 Redesignated as §§ 431.861, 431.862, 431.863 and 431.864 Respectively]

a. Sections 431.801, 431.802, 431.803, and 431.804 are redesignated under a new undesignated center heading "Federal Financial Participation" as §§ 431.861, 431.862, 431.863, and 431.864 respectively.

b. A new center heading is added to precede § 431.800. § 431.800 is revised and new §§ 431.802 through 431.836 with accompanying center headings are added, to read as follows.

Subpart P—Quality Control

General Provisions

§ 431.800 Scope of subpart.

This subpart—

(a) Establishes State plan requirements for a Medicaid eligibility quality control (MEQC) program designed to reduce erroneous expenditures by monitoring eligibility determinations and a claims processing assessment system that monitors claims processing operations.

(b) Establishes rules and procedures for disallowing Federal financial participation (FFP) in erroneous Medicaid payments due to eligibility and recipient liability errors as detected through the MEQC program.

§ 431.802 Basis.

This subpart implements the following sections of the Act, which establish requirements for State plans and for payment of Federal financial participation (FFP) to States:

1902(a)(4) Administrative methods for proper and efficient operation of the State plan.

1903(u) Limitation of FFP for erroneous medical assistance expenditures.

§ 431.804 Definitions.

As used in this subpart—

Active case means an individual or family determined to be currently authorized as eligible for Medicaid by the agency.

Administrative period means the period of time recognized by the MEQC program for State agencies to reflect changes in case circumstances, i.e., a change in a common program area, during which no case error based on the circumstance change would be cited. This period consists of the review month and the month prior to the review month.

Claims processing error means FFP has been claimed for a Medicaid payment that was made—

(1) For a service not authorized under the State plan;

(2) To a provider not certified for participation in the Medicaid program;

(3) For a service already paid for by Medicaid; or

(4) In an amount above the allowable reimbursement level for that service.

Eligibility error means that Medicaid coverage has been authorized or payment has been made for a recipient or family under review who—

(1) Was ineligible when authorized or when he received services; or

(2) Was eligible for Medicaid but was ineligible for certain services he received; or

(3) Had not met recipient liability requirements when authorized eligible for Medicaid; that is, he had not incurred medical expenses equal to the amount of his excess income over the State's financial eligibility level or he had incurred medical expenses that exceeded the amount of excess income over the State's financial eligibility level, or was making an incorrect amount of payment toward the cost of services.

Negative case action means an action that was taken to deny or otherwise dispose of a Medicaid application without a determination of eligibility (for instance, because the application was withdrawn or abandoned) or an action to deny, suspend, or terminate an individual or family.

State agency means either the State Medicaid agency or a State agency that is responsible for determining eligibility for Medicaid.

§ 431.806 State plan requirements.

(a) *MEQC program.* A State plan must provide for operating a Medicaid eligibility quality control program that meets the requirements of §§ 431.810 through 431.822 of this subpart.

(b) *Claims processing assessment system.* Except in a State that has an approved Medicaid Management Information System (MMIS) under subpart C of part 433 of this subchapter, a State plan must provide for operating a Medicaid quality control claims processing assessment system that meets the requirements of §§ 431.830 through 431.836 of this subpart.

§ 431.808 Protection of recipient rights.

Any individual performing activities under the MEQC program or the claims processing assessment system specified in this subpart must do so in a manner that is consistent with the provisions of

§§ 435.902 and 436.901 of this subchapter concerning the rights of recipients.

Medicaid Eligibility Quality Control (MEQC) Program

§ 431.810 Basic elements of the Medicaid eligibility quality control (MEQC) program.

(a) *General requirements.* The agency must operate the MEQC program in accordance with this section and §§ 431.812 through 431.822 and other instructions established by HCFA.

(b) *Review requirements.* The agency must conduct MEQC reviews in accordance with the requirements specified in § 431.812 and other instructions established by HCFA.

(c) *Sampling requirements.* The agency must conduct MEQC sampling in accordance with the requirements specified in § 431.814 and other instructions established by HCFA.

§ 431.812 Review procedures.

(a) *Active case reviews.* (1) Except as provided in paragraph (a)(2) of this section, the agency must review all active cases selected from the State agency's lists of cases authorized eligible for the review month, to determine if the cases were eligible for services during all or part of the month under review, and, if appropriate, whether the proper amount of recipient liability was computed.

(2) The agency is not required to conduct reviews of the following cases:

(i) Supplemental Security Income (SSI) recipient cases in States with contracts under section 1634 of the Act for determining Medicaid eligibility;

(ii) Foster care and adoption assistance cases under title IV-E of the Act found eligible for Medicaid; and

(iii) Cases under programs that are 100 percent federally funded.

(b) *Negative case reviews.* Except as provided in paragraph (c) of this section, the agency must review those negative cases selected from the State agency's lists of cases that are denied, suspended, or terminated in the review month to determine if the reason for the denial, suspension, or termination was correct and if requirements for timely notice of negative action were met. A State's negative case sample size is determined on the basis of the number of negative case actions in the universe.

(c) *Alternate systems of negative case reviews.* (1) *Basic provision.* A State may be exempt from the negative case review requirements specified in paragraphs (b) and (c)(2) of this section and in § 431.814(d) upon HCFA's approval of a plan for the use of a superior system.

(2) *Submission of plan for alternate system.* An agency must submit its plan

for the use of a superior system to HCFA for approval at least 60 days before the beginning of the review period in which it is to be implemented. If a plan is unchanged from a previous period, the agency is not required to resubmit it. The agency must receive approval for a plan before it can be implemented.

(3) *Requirement for alternate system.* To be approved, the State's plan must—

(i) Clearly define the purpose of the system and demonstrate how the system is superior to the current negative case review requirements.

(ii) Contain a methodology for identifying significant problem areas that could result in erroneous denials, suspensions, and terminations of applicants and recipients. Problem areas selected for review must contain at least as many applicants and recipients as were included in the negative case sample size previously required for the State.

(iii) Provide a detailed methodology describing how the extent of the problem area will be measured through sampling and review procedures, the findings expected from the review, and planned corrective actions to resolve the problem.

(iv) Include documentation supporting the use of the system methodology. Documentation must include the timeframes under which the system will be operated.

(v) Provide a superior means of monitoring denials, terminations, and suspensions than that required under paragraph (b) of this section.

(vi) Provide a statistically valid error rate that can be projected to the universe that is being studied.

(d) *Reviews for erroneous payments.* The agency must review all claims for services furnished during the review month and paid within 4 months of the review month to all members of each active case related in the sample to identify erroneous payments resulting from—

(1) Ineligibility for Medicaid;

(2) Ineligibility for certain Medicaid services; and

(3) Recipient understated or overstated liability.

(e) *Reviews for verification of eligibility status.* The agency must collect and verify all information necessary to determine the eligibility status of each individual included in an active case selected in the sample as of the review month and whether Medicaid payments were for services which the individual was eligible to receive. The agency must apply the administrative period described in § 431.804 when considering the case circumstances and the case correctness.

In order to verify eligibility information, the agency must—

(1) Examine and analyze each case record for all cases under review to establish what information is available for use in determining eligibility in the review month;

(2) Conduct field investigations including in-person recipient interviews for each case in the active case sample, and conduct in-person interviews only when the correctness of the agency action cannot be determined by review of the case record with recipients for cases in the negative case action sample (unless this is otherwise addressed in a superior system provided for in paragraph (c)(1) of this section);

(3) Verify all appropriate elements of eligibility for active cases through at least one primary source of evidence or two secondary sources of evidence as defined by HCFA by documentation or by collateral contacts as required, or both, and fully record the information on the appropriate forms;

(4) Determine the basis on which eligibility was established and the eligibility status of the active case and each case member;

(5) Collect copies of State paid claims or recipient profiles for services delivered during the review month and, if indicated, any months prior to the review month in the agency's selected spenddown period, for all members of the active case under review;

(6) Associate dollar values with eligibility status for each active case under review; and

(7) Complete the payment, case, and review information for all individuals in the active case under review on the appropriate forms.

§ 431.814 Sampling plan and procedures.

(a) *Plan approval.* The agency must submit a basic MEQC sampling plan (or revisions to a current plan) that meets the requirements of this section to the appropriate HCFA regional office for approval at least 60 days before the beginning of the review period in which it is to be implemented. If a plan is unchanged from a previous period, the agency is not required to resubmit the entire plan. Universe estimates and sampling intervals are required 2 weeks before the first monthly sample selection for each review period. The agency must receive approval for a plan before it can be implemented.

(b) *Plan requirements.* The agency must have an approved sampling plan in effect for the full 6-month sampling period that includes the following:

(1) The population to be sampled;

(2) The list(s) from which the sample is selected and the following characteristics of the list(s):

- (i) Sources;
 - (ii) All types of cases in the selection lists;
 - (iii) Accuracy and completeness of sample lists in reference to the population(s) of interest;
 - (iv) Whether or not the selection list was constructed by combining more than one list;
 - (v) The form of the selection list (whether the list or part of the list is automated);
 - (vi) Frequency and length of delays in updating the selection lists or their sources;
 - (vii) Number of items on the lists and proportion of listed-in-error items;
 - (viii) Methods of deleting unwanted items from the selection lists; and
 - (ix) Structure of the selection lists.
- (3) The sample size, including the minimum number of reviews to be completed and the expected number of cases to be selected. Minimum sample sizes are based on the State's relative level of Medicaid annual expenditures for services for active cases, and on the total number of negative case actions in the universe for negative cases. When the sample is substratified, there can be no fewer than 75 cases in each substratum, except as provided in paragraph (c) of this section or as provided in an exception documented in an approved sampling plan which contains a statement accepting the precision and reliability of the reduced sample.

(4) The sample selection procedure. Systematic random sampling is recommended. Alternative procedures must provide a representative sample, conform to principles of probability sampling, and yield estimates with the same or better precision than achieved in systematic random sampling.

(5) Procedures used to identify amounts paid for services received in the review month.

(6) Specification as to whether the agency chooses to—

- (i) Use billed amounts to offset recipient liability toward cost of care (No indication will be interpreted to mean that the agency will use paid claims); and
- (ii) Use denied claims to offset recipient liability toward cost of care in the payment review. (No indication will be interpreted to mean denied claims will not be used.)

(7) Indication of whether the agency opts to drop or complete cases selected more than once in a sample period. (No indication will be interpreted to mean

that the agency will complete cases selected more than once.)

(c) *Eligibility universe—active cases.* The MEQC universe for active cases must be divided into two strata, the Aid to Families with Dependent Children (AFDC) stratum and the Medical Assistance Only (MAO) stratum.

(1) All States must use the AFDC quality control sample for the AFDC stratum.

(2) States must include in the MAO stratum all cases certified as eligible for Medicaid that are not in the AFDC stratum, excluding individuals specified in paragraph (c)(4) of this section.

(3) States that do not have an agreement with the Social Security Administration under section 1634 of the Act and do not have more restrictive eligibility criteria under section 1902(f) of the Act but require a separate Medicaid application for recipients of SSI and determine Medicaid eligibility using SSI criteria must divide the MAO stratum into two substrata: MAO cases and SSI cash cases for the first review period beginning after July 1, 1990 and for review periods thereafter. The SSI substratum sample size must be 75 cases or one-half of the total MAO sample, whichever is smaller. The non-SSI MAO substratum sample will be the remainder of the MAO stratum cases.

States may be exempt from this requirement when implementing an approved sampling option that does not accommodate this stratification method.

(4) States must exclude from the MEQC universe SSI beneficiaries whose eligibility determinations were made exclusively by the Social Security Administration under an agreement under section 1634 of the Act, individuals in foster care or receiving adoption assistance whose eligibility is determined under title IV-E of the Act, and individuals receiving Medicaid under programs that are 100 percent federally funded.

(d) *Eligibility universe—negative cases.* Unless the agency has an approved superior system under § 431.812(c) that provides otherwise, the universe for negative Medicaid eligibility cases must consist of all denied applications, suspensions, and terminations occurring during the review month except transfers between counties without any break in eligibility, cases in which eligibility is exclusively determined by SSA under a section 1634 contract, cases determined eligible for foster care and adoption assistance under title IV-E of the Act, and cases under programs that are 100 percent federally funded.

(e) *Sampling procedures.* The agency must document all sampling procedures used by the State agency, including 98 percent accuracy of program identifier codes used in the sampling frame to separate listed-in-error cases from those in the population of interest, must make them available for review by HCFA, and must be able to demonstrate the integrity of its sampling procedures in accordance with this section.

(f) *Sampling periods.* The agency must use 6-month sampling periods, from April through September and from October through March.

(g) *Statistical samples.* The agency must select statistically valid samples of both active and negative case actions.

(h) *Sample selection lists.* The agency must submit to HCFA monthly a list of cases selected in the sample to be reviewed, after the State's sample selection and before commencing MEQC reviews on the cases in the sample.

(i) *Universe estimates and sampling intervals.* The agency must submit detailed universe estimates and sampling intervals to HCFA for approval at least 2 weeks before the first sample selection of the review period if the estimates differ from the previous period. The sampling intervals must be used continuously throughout the sampling period unless otherwise specified in an approved sampling plan. Final universe counts based on the actual sampling universe must be determined and reported to HCFA for each stratum/substratum designated in the sampling plan.

The agency also must submit universe counts for cases eligible for foster care and adoption assistance under title IV-E of the Act, and, for States with an agreement under section 1634 of the Act, for cases found eligible by the Social Security Administration.

(j) *Sample size and methodology options.* The agency may select a sample size in accordance with the minimum established under paragraph (b)(3) of this section or use one of the methodologies specified in paragraph (j) (1) or (2) of this section.

(1) *Increase in size.* The agency may, at its option, increase its sample size for a sampling period above the federally prescribed minimum sample size provided for under paragraph (b)(3) of this section, and receive FFP for any increased administrative costs the agency incurs by exercising this option.

(2) *Retrospective sampling.* The agency may, at its option, implement retrospective sampling in which cases are stratified by dollar value of claims paid. If the agency selects retrospective sampling, it must—

(i) Draw an initial case sample size each month that is no less than 5 times the required sample size. The sample will be selected from the universe of cases that were certified eligible in the fourth month prior to the month of case selection;

(ii) Identify claims paid for services furnished to all individuals during the review month (and, if indicated, any months prior to the review month in the agency's selected spenddown period) for these cases;

(iii) Stratify the cases by dollar value of the claims into three strata; and

(iv) Select a second statistically valid sample within each group subject to the sample size requirements specified in paragraph (b)(3) or (j)(1) of this section.

§ 431.816 Case review completion deadlines and submittal of reports.

(a) The agency must complete case reviews and submit reports of findings to HCFA as specified in paragraph (b) of this section in the form and at the time specified by HCFA.

(b) In addition to the reporting requirements specified in § 431.814 relating to sampling, the agency must complete case reviews and submit reports of findings to HCFA in accordance with paragraphs (b) (1) through (6) of this section for review periods beginning after July 1, 1990. The agency must not combine or otherwise integrate case findings from the MAO and AFDC strata to meet the case percentage deadlines as specified in paragraphs (b) (1) through (6) of this section.

(1) *Active case eligibility reviews—MAO stratum.* (i) The agency must complete case eligibility reviews and report the findings electronically through the system prescribed by HCFA for 90 percent of all active MAO cases within 105 days of the end of the review month for which those cases were reviewed, within 125 days for 95 percent of all active MAO cases, and within 150 days for 100 percent of all MAO active cases.

(ii) The agency must submit a report on cases selected for the review month.

(2) *Active case eligibility reviews—AFDC stratum.* (i) The agency must complete case eligibility reviews for AFDC ineligible and overpaid error cases caused by ineligible individuals and report the findings electronically through the system prescribed by HCFA within 105 days of the end of the review month for which those cases were reviewed for 90 percent of the total reviews; within 125 days of the end of the review month for which those cases were reviewed for 95 percent of the total reviews; and within 150 days of the end

of the review month for which those cases were reviewed for 100 percent of the total reviews.

(ii) The agency must report findings electronically through the system prescribed by HCFA for 100 percent of the State agency-reported eligible individuals within 30 days after the final timeframe required by the AFDC program as specified in program regulations at 45 CFR 205.40(b)(2)(ii).

(3) *Negative case eligibility reviews.* The agency must submit a monthly progress report on negative case reviews completed during the month unless the agency has an approved superior system in effect. The agency must submit a report on its findings by June 30 of each year for the previous April-September sampling period and by December 31, for the October-March sampling period.

(4) *Payment reviews.* (i) The agency must submit payment review findings electronically through the system prescribed by HCFA.

(ii) The agency must complete payment review findings for 100 percent of the active case reviews in its sample and report the findings within 60 days after the first day of the month in which the claims collection process begins. The agency must wait 5 months after the end of each review month before associating the amount of claims paid for each case for services furnished during the review month unless retrospective sampling is elected.

(iii) The agency must make any necessary corrections to claims payments during the month the claim is paid and the following month. HCFA will take necessary action to reject any State adjustment adversely affecting the error rate, for example, by not paying claims on error cases.

(5) *Summary of reviews and findings.* The agency must submit summary reports of the findings for all active cases in the 6-month sample by July 31 of each year for the previous April-September sampling period and by January 31 for the October-March sampling period. These summary reports must include findings changed in the Federal re-review process.

(6) *Other data and reports.* The agency must report other requested data and reports in a manner prescribed by HCFA.

§ 431.816 Access to records: MEQC program.

(a) The agency, upon written request, must mail to the HHS staff all records, including complete local agency eligibility case files or legible copies and all other documents pertaining to its MEQC reviews to which the State has

access, including information available under part 435, subpart I, of this chapter.

(b) The agency must mail requested records within 10 working days of receipt of a request, unless the State has an alternate method of submitting these records that is approved by HCFA or has received, on an as-needed basis, approval from HCFA to extend this timeframe by 3 additional working days to allow for exceptional circumstances.

§ 431.820 Corrective action under the MEQC program.

The agency must—

(a) Take action to correct any active or negative case action errors found in the sample cases;

(b) Take administrative action to prevent or reduce the incidence of those errors; and

(c) By September 15 each year, submit to HCFA a report on its error rate analysis and a corrective action plan based on that analysis. The agency must submit revisions to the plan within 60 days of identification of additional error-prone areas, other significant changes in the error rate (that is, changes that the State experiences that increase or decrease its error rate and necessitate immediate corrective action or discontinuance of corrective actions that effectively control the cause of the error rate change), or changes in planned corrective action.

§ 431.822 Resolution of differences in State and Federal case eligibility or payment findings.

(a) When a difference exists between State and Federal case eligibility or payment findings, the Regional Office will notify the agency by a difference letter.

(b) The agency must return the difference letter to the Regional Office within 28 calendar days of the date of the letter indicating either agreement with the Federal finding or reasons for disagreement and if the agency desires a conference to resolve the difference. This period may be shortened if the Regional Office finds that it is necessary to do so in order to meet a case completion deadline, and the State still has a reasonable period of time in which to respond to the letter. If the agency fails to submit the difference letter indicating its agreement or disagreement with the Federal findings within the 28 calendar days (or the shorter period designated as described above), the Federal findings will be sustained.

(c) If the Regional Office disagrees with the agency's response, a difference conference will be scheduled within 20 days of the request of the agency. If a

difference cannot be resolved, the State may request a direct presentation of its position to the Regional Administrator. The Regional Administrator has final authority for resolving the difference.

Medicaid Quality Control (MQC) Claims Processing Assessment System

§ 431.830 Basic elements of the Medicaid quality control (MQC) claims processing assessment system.

An agency must—

(a) Operate the MQC claims processing assessment system in accordance with the policies, sampling methodology, review procedures, reporting forms, requirements, and other instructions established by HCFA.

(b) Identify deficiencies in the claims processing operations.

(c) Measure cost of deficiencies;

(d) Provide data to determine appropriate corrective action;

(e) Provide an assessment of the State's claims processing or that of its fiscal agent;

(f) Provide for a claim-by-claim review where justifiable by data; and

(g) Produce an audit trail that can be reviewed by HCFA or an outside auditor.

§ 431.832 Reporting requirements for claims processing assessment systems.

(a) The agency must submit reports and data specified in paragraph (b) of this section to HCFA, in the form and at the time specified by HCFA.

(b) Except when HCFA authorizes less stringent reporting, States must submit:

(1) A monthly report on claims processing reviews sampled and or claims processing reviews completed during the month;

(2) A summary report on findings for all reviews in the 6-month sample to be submitted by the end of the 3rd month following the scheduled completion of reviews for that 6 month period; and

(3) Other data and reports as required by HCFA.

§ 431.834 Access to records: claims processing assessment systems.

The agency, upon written request, must provide HHS staff with access to all records pertaining to its MQC claims processing assessment system reviews to which the State has access, including information available under part 435, subpart J, of this chapter.

§ 431.836 Corrective action under the MQC claims processing assessment system.

The agency must—

(a) Take action to correct those errors identified through the claims processing assessment system review and, if cost effective, to recover those funds erroneously spent;

(b) Take administrative action to prevent and reduce the incidence of those errors; and

(c) By August 31 of each year, submit to HCFA a report of its error analysis and a corrective action plan on the reviews conducted since the cut-off date of the previous corrective action plan.

Federal Financial Participation

§ 431.861 [Redesignated from § 431.801 and amended]

4. In newly redesignated § 431.861: in paragraph (a)(1) the cross-reference to "§ 431.800 of this subpart" is changed to "§ 431.800 of this subpart in effect through September 1980"; in paragraph (a)(2), the cross-reference to "§ 431.802" is changed to "§ 431.862"; and in paragraph (b) the definition of "eligibility errors" is removed as duplicative of the definition in § 431.804.

§ 431.862 [Redesignated from § 431.802 and amended]

5. In newly redesignated § 431.862: in paragraph (a)(1) the cross-reference to "§ 431.800 of this subpart" is changed to "§ 431.800 of this subpart in effect from October 1, 1980 through September 30, 1982"; in paragraph (a)(2), the cross-reference to "§ 431.803" is changed to "§ 431.863"; and in paragraph (b), the definition of "eligibility errors" is removed as duplicative of the definition in § 431.804.

[§ 431.863 Redesignated from § 431.803 and amended]

§ 431.863 Disallowance of Federal financial participation for erroneous State payments during the period April 1 through December 31, 1983.

6. In newly redesignated § 431.863: The section heading is revised as set forth above; in paragraph (a)(1) the cross-reference to "§ 431.800" is changed to "§ 431.800 in effect from April 1 through December 31, 1983"; in paragraph (a)(2), the cross-reference to "§ 431.804" is changed to "§ 431.864"; in paragraph (d)(3), the phrase "HCFA will reduce the State's estimate of its FFP requirements for FFP" is changed to "HCFA will reduce its estimate of the State's requirements for FFP"; in paragraph (e)(1), the words "and each annual assessment period thereafter" in the first sentence are removed; and in paragraph (e)(2)(v)(B), the cross-reference to "§ 431.800" is changed to read "§ 431.800 in effect between April 1 and December 31, 1983".

§ 431.864 [Redesignated from § 431.804 and amended]

7. Newly redesignated § 431.864 is amended by revising the section title, a cross-reference appearing after paragraph (d)(9) and before paragraph (e), revising paragraphs (a), (d)(4), (e)(1)

introductory text, and (e)(2)(v)(B) (paragraphs (e)(2) and (e)(2)(v) are republished), and redesignating paragraph (e)(4) as paragraph (f) and revising it to read as follows:

§ 431.864 Disallowance of Federal financial participation for erroneous State payments (effective January 1, 1984 through June 30, 1990)

(a) *Purpose and Applicability*—(1) *Purpose.* This section establishes rules and procedures for disallowing Federal financing participation (FFP) in erroneous medical assistance payments due to eligibility and beneficiary liability errors as detected through the Medicaid eligibility quality control (MEQC) program required under § 431.800 in effect between January 3, 1984 and June 30, 1990.

(2) *Applicability.* This section applies to all States except Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, and American Samoa between January 1, 1984 and June 30, 1990. Beginning July 1, 1990, those States must follow the rules and procedures specified in § 431.865.

(d) *Computation of anticipated error rate.* ***

(4) Based on the anticipated error rate established in paragraph (d)(1) or (d)(2) of this section, HCFA will reduce its estimate of the State's requirements for FFP for medical assistance for the quarter by the percentage by which the anticipated payment error rate exceeds the 3-percent national standard. This reduction will be applied against the State's total estimate of FFP for medical assistance expenditures (less payments made to Supplemental Security Income beneficiaries in 1934 contract States and payments to children eligible for foster care and adoption assistance under title IV-E of the Act) prior to any other required reductions. The reduction will be noted on the State's grant award for the quarter and does not constitute a disallowance, and, therefore, is not appealable.

(9) ***

(See § 431.863(d)(8) for an example of a disallowance computation.)

(e) *Notice of States and showing of good faith.* (1) When the actual payment error rate data are finalized for each annual assessment period beginning during the period of October 1, 1983 through September 30, 1989, HCFA will establish each State's error rate and the amount of any potential disallowance. States that have error rates above the national standard will be notified by

letter of their error rates and the amount of the potential disallowance.

(2) Some examples of circumstances under which the Administrator may find that a State did not meet the national standard despite a good faith effort are—

(v) The State timely developed and implemented a corrective action plan which the Administrator finds to be reasonably designed to meet the target error rate, but the national standard was not achieved. In evaluating whether the State made a good faith effort in these circumstances, the Administrator will consider the following factors:

(B) The State must have operated an MEQC eligibility program in accordance with the provisions of § 431.800 in effect between January 3, 1984 and September 30, 1989.

(f) *Disallowance subject to appeal.* (1) If a State does not agree with a disallowance imposed under paragraph (e) of this section it may appeal to the Departmental Appeals Board within 30 days from the date of the final disallowance notice from HCFA. The regular procedures for an appeal of a disallowance apply, including review by the Departmental Appeals Board under 45 CFR Part 16.

(2) This appeal provision, as it applies to MEQC disallowances, is not applicable to the Administrator's decision on a State's waiver request provided for under paragraph (e) of this section.

8. A new § 431.865 is added to read as follows:

§ 431.865 Disallowance of Federal financial participation for erroneous State payments (for annual assessment periods ending after July 1, 1990).

(a) *Purpose and applicability.*—

(1) *Purpose.* This section establishes rules and procedures for disallowing Federal financial participation (FFP) in erroneous medical assistance payments due to eligibility and beneficiary liability errors, as detected through the Medicaid eligibility quality control (MEQC) program required under § 431.806 in effect on and after July 1, 1990.

(2) *Applicability.* This section applies to all States except Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, and American Samoa beginning July 1, 1990.

(b) *Definitions.* For purposes of this section—

Administrator means the Administrator, Health Care Financing Administration or his or her designee.

Annual assessment period means the 12-month period October 1 through September 30 and includes two 6-month sample periods (October-March and April-September).

Beneficiary liability means—

(1) The amount of excess income that must be offset with incurred medical expenses to gain eligibility; or

(2) The amount of payment a recipient must make toward the cost of services.

Erroneous payments means the Medicaid payment that was made for an individual or family under review who—

(1) was ineligible for the review month or, in full month coverage is not provided, at the time services were received;

(2) Was ineligible to receive a service provided during the review month; or

(3) Had not properly met beneficiary liability prior to receiving Medicaid services.

National mean error rate means the payment weighted average of the eligibility payment error rates for all States.

National standard means a 3-percent eligibility payment error rate.

State payment error rate means the ratio of erroneous payments for medical assistance to total expenditures for medical assistance (less payments to Supplemental Security Income beneficiaries in section 1634 contract States and payments for children eligible for foster care and adoption assistance under title IV-E of the Act) for cases under review under the MEQC system for each assessment period.

Technical error means an error in an eligibility condition that, if corrected, would not result in a difference in the amount of medical assistance paid. These errors include work incentive program requirements, assignment of social security numbers, the requirement for a separate Medicaid application, monthly reporting requirements, assignment of rights to third party benefits, and failure to apply for benefits for which the family or individual is not eligible. Errors other than those listed in this definition, identified by HCFA in subsequent instructions, or approved by HCFA are not technical errors.

(c) *Setting of State's payment error rate.* (1) Each State must, for each annual assessment period, have a payment error rate no greater than 3 percent or be subject to a disallowance of FFP.

(2) A payment error rate for each State is determined by HCFA for each annual assessment period by computing the statistical estimate of the ratio of

erroneous payments for medical assistance made on behalf of individuals or cases in the sample for services received during the review month to total expenditures for medical assistance for that State made on behalf of individuals or cases in the sample for services received during the review month. This ratio incorporates the findings of a federally re-reviewed subsample of the State's review findings and is projected to the universe of total medical assistance payments for calculating the amount of disallowance under paragraph (d)(6) of this section.

(3) The State's payment error rate does not include payments made on behalf of individuals whose eligibility determinations were made exclusively by the Social Security Administration under an agreement under section 1634 of the Act or children found eligible for foster care and adoption assistance under title IV-E of the Act.

(4) The amount of erroneous payments is determined as follows:

(i) For ineligible cases resulting from excess resources, the amount of error is the lesser of—

(A) The amount of the payment made on behalf of the family or individual for the review month; or

(B) The difference between the actual amount of countable resources of the family or individual for the review month and the State's applicable resources standard.

(ii) For ineligible cases resulting from other than excess resources, the amount of error is the total amount of medical assistance payments made for the individual or family under review for the review month.

(iii) For erroneous payments resulting from failure to properly meet beneficiary liability, the amount of error is the lesser of—

(A) The amount of payments made on behalf of the family or individual for the review month; or

(B) The difference between the correct amount of beneficiary liability and the amount of beneficiary liability met by the individual or family for the review month.

(iv) The amount of payments made for services provided during the review month for which the individual or family was not eligible.

(5) In determining the amount of erroneous payments, errors caused by technical errors are not included.

(6) If a State fails to cooperate in completing a valid MEQC sample or individual reviews in a timely and appropriate fashion as required, HCFA will establish the State's payment error rate based on either—

- (i) A special sample or audit;
- (ii) The Federal subsample; or
- (iii) Other arrangements as the Administrator may prescribe.

(7) When it is necessary for HCFA to exercise the authority in paragraph (c)(6) of this section, the amount that would otherwise be payable to the State under title XIX of the Act is reduced by the full costs incurred by HCFA in making these determinations. HCFA may make these determinations either directly or under contractual or other arrangements.

(d) *Computation of anticipated error rate.* (1) Before the beginning of each quarter, HCFA will project the anticipated medical assistance payment error rate for each State for that quarter. The anticipated error rate is the lower of the weighted average error rate of the two most recent 6-month review periods or the error rate of the most recent 6-month review period. In either case, cases in the review periods must have been completed by the State and HCFA. If a State fails to provide HCFA with information needed to project anticipated excess erroneous expenditures, HCFA will assign the State an error rate as prescribed in paragraph (c)(6) of this section.

(2) If the State believes that the anticipated error rate established in accordance with paragraph (d)(1) of this section is based on erroneous data, the State may submit evidence that demonstrates the data were erroneous. If the State satisfactorily demonstrates that HCFA's data were erroneous, the State's anticipated error rate will be adjusted accordingly. Submittal of evidence is subject to the following conditions:

(i) The State must inform HCFA of its intent to submit evidence at least 70 days prior to the beginning of the quarter.

(ii) The State may request copies of data that HCFA used to compute its anticipated error rate within 7 days of receiving notification of its projected error rate.

(iii) The State has up to 40 days before the quarter begins to present the evidence.

(iv) The evidence is restricted to documentation of suspected HCFA data entry errors, processing errors, and resolutions of Federal subsample difference cases subsequent to calculation of the error rate projection as contained in the original notice to the State.

(v) The State may not submit other evidence, such as that consisting of revisions to State errors as a result of changes to the original State review findings submitted to HCFA.

(vi) The State may not submit evidence challenging the error rate computational methodology.

(3) Based on the anticipated error rate established in paragraph (d)(1) or (d)(2) of this section, HCFA reduces its estimate of the State's requirements for FFP for medical assistance for the quarter by the percentage by which the anticipated payment error rate exceeds the 3-percent national standard. This reduction is applied against HCFA's total estimate of FFP for medical assistance expenditures (less payments to Supplemental Security Income beneficiaries in 1634 contract States and payments to children found eligible for foster care and adoption assistance under title IV-E of the Act) prior to any other required reductions. The reduction is noted on the State's grant award for the quarter and does not constitute a disallowance, and, therefore, is not appealable.

(4) After the end of each quarter, an adjustment to the reduction will be made based on the State's actual expenditures.

(5) After the actual payment error rate has been established for each annual assessment period, HCFA will compute the actual amount of the disallowance and adjust the FFP payable to each State based on the difference between the amounts previously withheld for each of the quarters during the appropriate assessment period and the amount that should have been withheld based on the State's actual final error rate. If HCFA determines that the amount withheld for the period exceeds the amount of the actual disallowance, the excess amount withheld will be returned to the States through the normal grant awards process within 30 days of the date the actual disallowance is calculated.

(6) HCFA will compute the amount to be withheld or disallowed as follows:

(i) Subtract the 3-percent national standard from the State's anticipated or actual payment error rate percentage.

(ii) If the difference is greater than zero, the Federal medical assistance funds for the period, excluding payments for those individuals whose eligibility for Medicaid was determined exclusively by the Social Security Administration under a section 1634 agreement and children found eligible for foster care and adoption assistance under title IV-E of the Act, are multiplied by that percentage. This product is the amount of the disallowance or withholding.

(7) A State's payment error rate for an annual assessment period is the weighted average of the payment error rates in the two 6-month review periods

comprising the annual assessment period.

(8) The weights are established as the percent of the total annual payments, excluding payments for those individuals whose eligibility for Medicaid was determined exclusively by the Social Security Administration under a section 1634 agreement and children found eligible for foster care and adoption assistance under title IV-E of the Act, that occur in each of the 6-month periods.

(See § 431.863(d)(8) for an example of a disallowance computation)

(e) *Notice to States and showing of good faith.* (1) When the actual payment error rate data are finalized for each annual assessment period ending after July 1, 1990, HCFA will establish each State's error rate and the amount of any disallowance. States that have error rates above the national standard will be notified by letter of their error rates and the amount of the disallowance.

(i) The State has 65 days from the date of receipt of this notification to show that this disallowance should not be made because it failed to meet the national standard despite a good faith effort to do so.

(ii) If HCFA is satisfied that the State did not meet the national standard despite a good faith effort, HCFA may reduce the funds being disallowed in whole or in part as it finds appropriate under the circumstances shown by the State.

(iii) A finding that a State did not meet the national standard despite a good faith effort will be limited to extraordinary circumstances.

(iv) The burden of establishing that a good faith effort was made rests entirely with the State.

(2) Some examples of circumstances under which HCFA may find that a State did not meet the national standard despite a good faith effort are—

(i) Disasters such as fire, flood, or civil disorders that—

(A) Require the diversion of significant personnel normally assigned to Medicaid eligibility administration; or

(B) Destroyed or delayed access to significant records needed to make or maintain accurate eligibility determinations;

(ii) Strikes of State staff or other government or private personnel necessary to the determination of eligibility or processing of case changes;

(iii) Sudden and unanticipated workload changes that result from changes in Federal law and regulation, or rapid, unpredictable caseload growth

in excess of, for example, 15 percent for a 6-month period;

(iv) State actions resulting from incorrect written policy interpretations to the State by a Federal official reasonably assumed to be in a position to provide that interpretation; and

(v) The State has taken the action it believed was needed to meet the national standard, but the national standard was not met. HCFA will consider request for a waiver under this criterion only if a State has achieved an error rate for the sample period that (after reducing the error rate by taking into account the cases determined by HCFA to be in error as a result of conditions listed in paragraphs (e)(2)(i) through (iv) of this section) is less than its error rate for the preceding sample year and does not exceed the national mean error rate for the sample period under review (unless that national mean error rate is at or below the 3-percent national standard). If the agency has met this error reduction requirement or had error rates of 3 percent or below for the prior two review periods, and its error rate for the review period under consideration is less than one-third above the national standard, HCFA will evaluate a request for a good faith waiver based on the following factors:

(A) The State has fully met the performance standards in the operation of a quality control system in accordance with Federal regulations and HCFA guidelines (e.g., adherence to Federal case completion timeliness requirements and verification standards).

(B) The State has achieved substantial performance in the formulation of error reduction initiatives based on the following processes:

(1) Performance of an accurate and thorough statistical and program analysis for error reduction which utilized quality control and other data:

(2) The translation of such analysis into specific and appropriate error reduction practices for major error elements; and

(3) The use of monitoring systems to verify that the error reduction initiatives were implemented at the local office level.

(C) The State has achieved substantial performance in the operation of the following systems supported by evidence of the timely utilization of their outputs in the determination of case eligibility:

(1) The operation of the Income and Eligibility Verification System in accordance with the requirements of Parts 431 and 435 of this chapter, and

(2) The operation of systems that interface with Social Security data and, where State laws do not restrict agency access, records from agencies responsible for motor vehicles, vital statistics, and State or local income and property taxes (where these taxes exist).

(D) The State has achieved substantial performance in the use of the following accountability mechanisms to ensure that agency staff adhere to error reduction initiatives. The following are minimum requirements:

(1) Accuracy of eligibility and liability determinations and timely processing of case actions are used as quantitative measures of employee performance and reflected in performance standards and appraisal forms;

(2) Selective second-party case reviews are conducted. The second-party review results are periodically reported to higher level management, as well as supervisors and workers and are used in performance standards and appraisal forms; and

(3) Regular operational reviews of local offices are performed by the State to evaluate the offices' effectiveness in meeting error reduction goals with periodic monitoring to ensure that

review recommendations have been implemented.

(vi) A State that meets the performance standards specified in paragraphs (e)(2)(v) (A) through (D) of this section will be considered for a full or partial waiver of its disallowance amount. The State must submit only specific documentation that verifies that the necessary actions were accomplished. For example, a State could submit worker performance standards reflecting timeliness and case accuracy as quantitative measures of performance.

(3) The failure of a State to act upon necessary legislative changes or to obtain budget authorization for needed resources is not a basis for finding that a State failed to meet the national standard despite a good faith effort.

(f) *Disallowance subject to appeal.*
(1) If a State does not agree with a disallowance imposed under paragraph (e) of this section, it may appeal to the Departmental Appeals Board within 30 days from the date of the final disallowance notice from HCFA. The regular procedures for an appeal of a disallowance will apply, including review by the Appeals Board under 45 CFR part 16.

(2) This appeal provision, as it applies to MEQC disallowances, is not applicable to the Administrator's decision on a State's waiver request provided for under paragraph (e) of this section.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Dated: August 15, 1990.

Louis B. Hays,

Acting Administrator, Health Care Financing Administration.

Louis W. Sullivan,
Secretary.

[FR Doc. 90-12247 Filed 5-30-90; 8:45 am]

BILLING CODE 4120-01-M

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Asbestos
1990
Federal Register

Thursday
May 31, 1990

Part III

**Environmental
Protection Agency**

**Asbestos-Containing Materials in Schools;
EPA Approved Courses and Accredited
Laboratories Under the Asbestos Hazard
Emergency Response Act (AHERA);
Notice**

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-62087; FRL-3742-4]

Asbestos-Containing Materials in Schools; EPA Approved Courses and Accredited Laboratories Under the Asbestos Hazard Emergency Response Act (AHERA)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 206(c)(3) of the Toxic Substances Control Act (TSCA) directs the EPA Administrator to publish (and revise as necessary) a list of EPA-approved asbestos courses and tests which are consistent with the Agency's Model Accreditation Plan required under section 206(b) of TSCA. Also required is a list of courses and tests which qualify or had qualified for equivalency treatment for interim accreditation during the time period established by Congress in AHERA; that time period has ended in all States. The grace period for persons with interim accreditation expired in July 1989, in all except seven States. All courses approved for interim accreditation are included in the list for information purposes only.

Section 206(f) of TSCA Title II requires the Administrator to publish quarterly in the *Federal Register*, beginning August 31, 1988, a list of EPA-approved asbestos training courses. This *Federal Register* notice includes the eleventh cumulative list of course approvals and a list that includes State accreditation programs that EPA has approved as meeting the requirements of the Model Plan. Additionally, this notice includes the most current list as of April 5, 1990, of laboratories accredited under section 206(d) of TSCA to conduct bulk analysis of asbestos-containing materials. Those laboratories which had previously received interim accreditation from EPA are no longer listed in this *Federal Register* because EPA interim approval for laboratories ended October 30, 1989.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-

799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460. Telephone: (202) 382-3790, TDD: (204) 554-0551.

SUPPLEMENTARY INFORMATION: Section 206 of Title II of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2646, required EPA to develop a Model Accreditation Plan by April 20, 1987. The Plan was issued on April 20, 1987, and was published in the *Federal Register* of April 30, 1987 (52 FR 15875), as appendix C to subpart E, 40 CFR part 763. Persons must receive accreditation in order to inspect school buildings for asbestos, develop school asbestos management plans, and design or conduct school asbestos response actions. Such persons can be accredited by States, which are required under Title II to adopt contractor accreditation plans at least as stringent as the EPA Model Plan, or by completing an EPA-approved training course and passing an examination for such course. The EPA Model Accreditation Plan establishes those areas of knowledge of asbestos inspection, management plan development, and response action technology that persons seeking accreditation must demonstrate and States must include in their accreditation programs.

In the *Federal Register* of October 30, 1987 (52 FR 41826), EPA promulgated a final "Asbestos-Containing Materials In Schools" rule (40 CFR part 763, subpart E) which required all local education agencies (LEAs) to identify asbestos-containing materials (ACM) in their school buildings and take appropriate actions to control the release of asbestos fibers. The LEAs are also required to describe their activities in management plans, which must be made available to the public and submitted to State governors. Under Title II, LEAs are required to use specially trained persons to conduct inspections for asbestos, develop the management plans, and design or conduct major actions to control asbestos. The rule took effect on December 14, 1987.

The length of initial training courses for accreditation under the Model Plan varies by discipline. Briefly, inspectors must take a 3-day training course;

management planners must take the inspection course plus an additional 2 days devoted to management planning; and abatement project designers are required to have at least 3 days of training. In addition, asbestos abatement contractors and supervisors must take a 4-day training course and asbestos abatement workers are required to take a 3-day training course. For all disciplines, persons seeking accreditation must also pass an examination and participate in annual re-training courses. A complete description of accreditation requirements can be found in the Model Accreditation Plan at 40 CFR part 763, subpart E, Appendix C.I.1.A through E.

In section 206(c)(3) of Title II, and as amended by section 206(f), the Administrator, in consultation with affected organizations, is directed to publish quarterly a list of asbestos courses and tests in effect before the date of enactment of this title which qualified for equivalency treatment for interim accreditation purposes, and a list of EPA-approved asbestos courses and tests which the Administrator has determined are consistent with the Model Plan and which qualify a contractor for accreditation. In addition, the Agency has included in this notice the most current list of laboratories which have received accreditation from the National Institute of Standards and Technology (NIST), formerly the National Bureau of Standards (NBS), for the analysis of bulk materials for asbestos by polarized light microscopy (PLM). Those laboratories which had previously received interim accreditation from EPA are no longer listed in this *Federal Register* because EPA interim approval for laboratories ended October 30, 1989.

The *Federal Register* notice of October 30, 1987, included the initial list of course approvals. In addition, the list included State accreditation programs that EPA has approved as meeting the requirements of the Model Plan. The second *Federal Register* notice of February 10, 1988 (53 FR 3982), the third *Federal Register* notice of June 1, 1988 (53 FR 20066), the fourth *Federal Register* notice of August 31, 1988 (53 FR 33574), the fifth *Federal Register* notice

of November 30, 1988 (53 FR 48424), the sixth Federal Register notice of February 28, 1989 (54 FR 8438), the seventh Federal Register notice of May 31, 1989 (54 FR 23392), the eighth Federal Register notice of August 31, 1989 (54 FR 36166), the ninth Federal Register notice of November 29, 1989 (54 FR 49190), and the tenth Federal Register notice of February 28, 1990 (55 FR 7202), were cumulative listings of EPA course approvals and EPA-approved State accreditation programs.

This Federal Register notice is divided into five units. Unit I discusses EPA approval of State accreditation programs. Unit II covers EPA approval of training courses. Unit III discusses the AHERA-imposed deadline for persons with interim accreditation. Unit IV provides the list of State accreditation programs and training courses approved by EPA as of April 5, 1990. Subsequent Federal Register notices will add other State programs as they are approved. Training courses received by EPA prior to October 15, 1989, and subsequently approved will also be listed. Unit V contains a listing of all laboratories under the NIST accreditation program for laboratories that are conducting analyses of bulk samples of ACM.

As announced in the Federal Register of September 20, 1989, EPA is no longer accepting for review and contingent approval training courses for AHERA accreditation after October 15, 1989. However, a course's status may change after October 15. For example, a contingently approved course may become fully approved and a course with full approval may become disapproved. As mentioned in the September 1989 Federal Register notice, EPA has said it would continue to conduct full approval audits of courses that already have received contingent approval and review for contingent approval and subsequent full approval, courses received by EPA which had been postmarked on or before October 15, 1989. In the future, EPA may reach agreements with States that do not currently have an accreditation program, to turn over responsibility for auditing courses with contingent and full approval, as these States develop accreditation programs.

I. EPA Approval of State Accreditation Programs

As discussed in the Model Plan, EPA may approve State accreditation programs that the Agency determines are at least as stringent as the Model Plan. In addition, the Agency is able to approve individual disciplines within a State's accreditation program. For example, a State that currently only has

an accreditation requirement for inspectors can receive EPA approval for that discipline immediately, rather than waiting to develop accreditation requirements for all disciplines in the Model Plan before seeking EPA approval.

As listed in Unit IV, Alaska, Arkansas, Colorado, Delaware, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Virginia, Washington, and Wisconsin have received EPA full approval for two accreditation disciplines, abatement workers as well as contractors and supervisors, that are at least as stringent as the Model Plan. In addition, the States of Colorado, Illinois, Indiana, Iowa, Massachusetts, Michigan, North Dakota, Nebraska, Rhode Island, South Dakota, Utah, Virginia, and Wisconsin have received full approval for their inspector/management planner and project designer disciplines. Any training courses in those disciplines approved by the aforementioned States are EPA-approved courses for purposes of TSCA Title II in these States and in all States without an EPA-approved accreditation program for the discipline. Current lists of training courses approved by Alaska, Arkansas, Colorado, Delaware, Iowa, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Virginia, Washington, and Wisconsin are listed under Unit IV. Illinois, Indiana, and Kansas, do not have separate provider listings since the States have not independently approved any additional courses.

Each State accreditation program may have different requirements for State accreditation. For example, New Jersey requires participants of its courses to take the State exam. Therefore, those New Jersey-approved course sponsors who want to provide training in another State must develop their own examination. They must also submit a detailed statement about the development of the course examination as required by the Model Plan to the Regional Asbestos Coordinator in their region for EPA approval.

II. EPA Approval of Training Courses

A cumulative list of training courses approved by EPA is included under Unit IV. The examinations for these approved courses under Unit IV have also been approved by EPA. EPA has three categories of course approval: full, contingent, and approved for interim

accreditation. As noted in Unit III, interim accreditation is no longer in effect in all except seven States and expires in all States as of July 1990. This is the last time the course listing will be published where interim accreditation remains in effect for any State. Each course that had been approved for interim accreditation will show inclusive dates of this approval. EPA's deadline for interim accreditation will be discussed in Unit III.

Full approval means EPA has reviewed and found acceptable the course's written submission seeking EPA approval and has conducted an on-site audit and determined that the training course meets or exceeds the Model Plan's training requirements for the relevant discipline.

Contingent approval means the Agency has reviewed the course's written submission seeking EPA approval and found the material to be acceptable (i.e., the written course materials meet or exceed the Model Plan's training course requirements). However, EPA has not yet conducted an on-site audit.

Successful completion of either a fully approved course or a contingently approved course provides full accreditation for course attendees. If EPA subsequently audits a contingently approved course and withdraws approval due to deficiencies discovered during the audit, future course offerings would no longer have EPA approval. However, withdrawal of EPA approval would not affect the accreditation of persons who took previously offered training courses, including the course audited by EPA.

Thus far, EPA has taken formal action to revoke or suspend course approvals in two instances. EPA revoked approval from Living Word College's inspector and management planner training courses offered after May 6, 1988. Living Word College is located in EPA Region VII. In addition, EPA has suspended approval from the Safety Management Institute's training courses and refresher courses for workers, inspectors/management planners, and contractors/supervisors. The effective date for the course suspensions is the first week of October 1989. Safety Management Institute is located in EPA Region III.

EPA-approved training courses listed under Unit IV are approved on a national basis. EPA has organized Unit IV by EPA Region to assist the public in locating those training courses that are offered nearby. Training courses are listed in the Region where the training course is headquartered. Although several sponsors offer their courses in

various locations throughout the United States, a large number of course sponsors provide most of their training within their own Region.

State accreditation programs may have more stringent accreditation requirements than the Model Plan. As a result, some EPA-approved training courses listed under Unit IV may not meet the requirements of a particular State's accreditation program. Sponsors of training courses and persons who have received accreditation should contact individual States to check on accreditation requirements.

A number of training courses offered before EPA issued the Model Plan equaled or exceeded the subsequently issued Model Plan's training course requirements. These courses are listed under Unit IV as being approved. It should be noted that the persons who have successfully completed these are fully accredited; they are not only accredited on an interim basis.

III. Phase out of Interim Accreditation

TSCA Title II enabled EPA to permit persons to be accredited on an interim basis if they had attended EPA-approved asbestos training before the effective date of the AHERA regulation and passed an asbestos exam. As a result, the Agency approved, on an interim basis, a number of training courses which had been offered prior to the effective date of the AHERA regulation. Only those persons who had taken training courses equivalent to the Model Plan's requirements between January 1, 1985, and December 14, 1987, were considered accredited under these interim provisions. Equivalent means that the courses had to be essentially similar in length and content to the curriculum found in the Model Plan. In addition, an examination had to be essentially equivalent to the examination requirements found in the Model Plan. If no examination was offered at the time, course providers seeking interim approval needed to provide an examination.

Persons who took one of the EPA-approved courses for interim accreditation, and could produce evidence that they had successfully completed the course by passing an examination, were accredited on an interim basis. This accreditation was interim since the person was considered accredited for only 1 year after the date on which the State where the person was employed was required to have established an accreditation program at least as stringent as the EPA Model Plan. TSCA Title II requires States to adopt a contractor accreditation program at least as stringent as the

Model Plan within 180 days after the first regular session of the State's legislature convened following the date EPA issued the Model Plan.

The deadline for all States to establish a complete accreditation program was July 1989. In fact, most States were required to have developed a program by July 1988. As a result, after July 1989, the period of interim accreditation expired for persons in all States but Arkansas, Montana, Nevada, North Carolina, Oregon, Pennsylvania, and Texas. In these seven States, the legislatures meet on a bi-annual basis and last met in January 1989; therefore, persons with interim accreditation will not lose their interim status in these States until July 1990. In any other State that has not developed accreditation programs at least as stringent as the Model Plan, persons accredited on an interim basis are no longer eligible to perform AHERA work. Such persons were required to complete an EPA-approved course or a State course under a State plan at least as stringent as the EPA Model Plan to receive full accreditation. For example, a person with interim accreditation as a supervisor would have to take a 4-day supervisor's course approved by EPA or an EPA-approved State program to become fully accredited.

IV. List of EPA-Approved State Accreditation Programs and Training Courses

The eleventh cumulative listing of EPA-approved State accreditation programs and training courses follows. As discussed above, quarterly notifications of EPA approval of State accreditation programs and EPA approval of training courses will be published in subsequent Federal Register notices. The closing date for the acceptance of submissions to EPA for inclusion in this eleventh notice was April 5, 1990. Omission from this list does not imply disapproval by EPA, nor does the order of the courses reflect priority or quality. The format of the notification lists first the State accreditation programs approved by EPA, followed by EPA-approved training courses listed by Region. The name, address, phone number, and contact person is provided for each training provider followed by the courses and type of course approval (i.e., full, contingent, or for interim purposes).

As of April 5, 1990, a total of 596 training providers are offering 1,151 EPA-approved training courses for accreditation under TSCA Title II. There are 501 asbestos abatement worker courses, 387 contractor/supervisor

courses, 202 inspector/management planner courses, 18 inspector only courses, and 43 project designer courses. In addition, EPA has approved 735 refresher courses. Twenty-one States have EPA-approved State accreditation programs in one or more disciplines.

The EPA-funded model course for inspectors and management planners is available. In addition, a previous EPA-developed course for asbestos abatement contractors and supervisors has been revised and is available in final form for interested parties who plan to offer training courses. EPA anticipates that its model worker course will be available in Summer 1990. A fee for each course will be charged to cover the reproduction and shipping costs for the written and visual aid materials. Interested parties should contact the following firm to receive copies of the training courses: ATLIS Federal Services, Inc., EPA AHERA Program, 6011 Executive Blvd., Rockville, MD 20852, Phone number: (301) 468-1916.

The following is the cumulative list of EPA-approved State accreditation programs and training courses:

Approved State Accreditation Programs Alaska

(1)(a) *State Agency:* Department of Labor, Address: P.O. Box 1149, Juneau, AK 99802, Contact: Richard Arab, Phone: (907) 465-4856.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (interim from 10/1/85).
Abatement Worker (full from 1/29/90).
Contractor/Supervisor (interim from 10/1/85).
Contractor/Supervisor (full from 1/29/90).

(i)(a) *Training Provider:* Alaska Laborers Training School.

Address: 13500 Old Seward Highway, Anchorage, AK 99515, Contact: Leslie Lauinger, Phone: (907) 345-3853.

(b) *Approved Courses:*

Abatement Worker (Certified 11/1/89).
Contractor/Supervisor (Certified 11/1/89).

(ii)(a) *Training Provider:* Arctic Slope Consulting Group, Inc.

Address: 6700 Arctic Spur Rd., Anchorage, AK 99518-1550, Contact: Tom Tessier, Phone: (907) 349-5148.

(b) *Approved Courses:*

Abatement Worker (Certified 12/1/89).
Contractor/Supervisor (Certified 12/1/89).

(iii)(a) *Training Provider:* Asbestos Removal Specialists of Alaska.

Address: 1896 Marika Rd., Unit No. 3, Fairbanks, AK 99709, Contact: J.J. Middleton, Phone: (907) 451-8555.

(b) Approved Courses:

Abatement Worker (Certified 5/1/89).
Contractor/Supervisor (Certified 5/1/89).

(iv)(a) Training Provider: Central & Southeastern Alaska District Council of Carpenters.

Address: 407 Denali St., Anchorage, AK 99501, Contact: William Matthews, Phone: (907) 276-3533.

(b) Approved Courses:

Abatement Worker (Certified 2/1/89).
Contractor/Supervisor (Certified 2/1/89).

(v)(a) Training Provider:

Environmental Management, Inc.

Address: P.O. Box 91477, Anchorage, AK 99509, Contact: Kenneth D. Johnson, Phone: (907) 272-8056.

(b) Approved Courses:

Abatement Worker (Certified 6/1/89).
Contractor/Supervisor (Certified 6/1/89).

(vi)(a) Training Provider:

International Association of Heat & Frost Insulators & Asbestos Workers.

Address: 407 Denali St., Anchorage, AK 99501, Contact: Dan Middaugh, Phone: (907) 563-7644.

(b) Approved Courses:

Abatement Worker (Certified 8/1/89).
Contractor/Supervisor (Certified 8/1/89).

(vii)(a) Training Provider:

Martech Construction Co.

Address: 300 E. 54th Ave., Anchorage, AK 99518, Contact: Gary Lawley, Phone: (907) 561-1970.

(b) Approved Courses:

Abatement Worker (Certified 9/1/89).
Contractor/Supervisor (Certified 9/1/89).

(viii)(a) Training Provider:

Sheet Metal Worker Int'l. Association Local 23.

Address: 1818 W. Northern Lights Blvd. No. 100, Anchorage, AK 99517, Contact: Randall E. Pysher, Phone: (907) 277-5313.

(b) Approved Courses:

Abatement Worker (Certified 1/1/90).
Contractor/Supervisor (Certified 1/1/90).

(ix)(a) Training Provider: University of Alaska Mining & Petroleum Training Services.

Address: 155 Smith Way, Suite 104, Soldotna, AK 99669, Contact: Dennis Steffy, Phone: (907) 262-2788.

(b) Approved Courses:

Abatement Worker (Certified 4/1/89).

Contractor/Supervisor (Certified 4/1/89).

Arkansas

(2)(a) State Agency: Arkansas Dept. of Pollution Control and Ecology, Address: 8001 National Dr., P.O. Box 9583, Little Rock, AR 72209, Contact: Wilson Telefree, Phone: (501) 562-7444.

(b) Approved Accreditation Program Disciplines:

Abatement Worker (interim from 11/22/85).

Abatement Worker (full from 1/22/88).
Contractor/Supervisor (interim from 11/22/85).

Contractor/Supervisor (full from 1/22/88).

Arkansas Department of Pollution Control and Ecology, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) Training Provider: American Specialty Contractors.

Address: P.O. Box 66375, Baton Rouge, LA 70896, Contact: Daniel L. Anderson, Phone: (504) 926-9624.

(b) Approved Courses:

Abatement Worker (Certified 2/13/90).
Contractor/Supervisor (Certified 2/13/90).

(ii)(a) Training Provider: Arkansas Laborers Training Fund.

Address: 4501 West 61st St., Little Rock, AR 72209, Contact: W. Rudy Osborne, Phone: (501) 562-5502.

(b) Approved Course:

Abatement Worker (Certified 5/2/88).

(iii)(a) Training Provider: Asbestos Training & Employment, Inc.

Address: 809 East 11th St., Michigan City, IN 46360, Contact: Bruce H. Connell, Phone: (219) 874-7348.

(b) Approved Courses:

Abatement Worker (Certified 5/18/88).
Contractor/Supervisor (Certified 5/18/88).

(iv)(a) Training Provider: Critical Environmental Training, Inc.

Address: 5815 Gulf Freeway, Houston, TX 77023, Contact: Charles M. Flanders, Phone: (713) 921-8921.

(b) Approved Courses:

Abatement Worker (Certified 9/12/88).
Contractor/Supervisor (Certified 9/12/88).

(v)(a) Training Provider: Environmental Institute.

Address: 350 Franklin Rd., Suite 300, Marietta, GA 30067, Contact: Eva Clay, Phone: (404) 425-2000.

(b) Approved Course:

Contractor/Supervisor (Certified 10/7/88).

(vi)(a) Training Provider: Environmental Technologies.

Address: P.O. Box 21243, Little Rock, AR 72221, Contact: Phyllis Moore, Phone: (501) 569-3518.

(b) Approved Courses:

Abatement Worker (Certified 3/16/88).
Abatement Worker Annual Review (Certified 3/30/89).

Contractor/Supervisor (Certified 3/16/88).

Contractor/Supervisor Annual Review (Certified 3/30/89).

(vii)(a) Training Provider: Hall-Kimbrell Environmental Services.

Address: P.O. Box 307, Lawrence, KS 66044, Contact: Patrick Shrepf, Phone: (913) 749-2381.

(b) Approved Courses:

Abatement Worker (Certified 6/8/88).
Contractor/Supervisor (Certified 6/8/88).

(viii)(a) Training Provider: Labor Education Program, University of Arkansas.

Address: 2801 S. University Ave., Little Rock, AR 72204, Contact: Bernice Tackett, Phone: (501) 562-7444.

(b) Approved Course:

Abatement Worker (Certified 12/12/89).

(ix)(a) Training Provider: Meta Inc.

Address: P.O. Box 786, Lawrence, KS 66044, Contact: Karen P. Wilson, Phone: (913) 491-0181.

(b) Approved Courses:

Abatement Worker (Certified 3/27/90).
Abatement Worker Annual Review (Certified 3/27/90).

Contractor/Supervisor (Certified 3/27/90).

Contractor/Supervisor Annual Review (Certified 3/27/90).

(x)(a) Training Provider: National Asbestos Training Center, University of Kansas.

Address: 6600 College Blvd., Suite 315, Overland Park, KS 66211, Contact: Lani Himegarner, Phone: (913) 491-0221.

(b) Approved Courses:

Contractor/Supervisor (Certified 3/30/90).

Contractor/Supervisor Annual Review (Certified 3/30/90).

(xi)(a) Training Provider: Professional Asbestos Training Service.

Address: P.O. Box 19092, Little Rock, AR 72219, Contact: Harold Lewis, Phone: (501) 562-1519.

(b) Approved Courses:

Abatement Worker (Certified 4/18/88).
Abatement Worker Annual Review (Certified 1/4/90).

Contractor/Supervisor (Certified 4/18/88).

Contractor/Supervisor Annual Review (Certified 1/4/90).

(xii)(a) *Training Provider*: University of Arkansas.

Address: 521 South Razorback Rd., Fayetteville, AR 72701, Contact: Greg Weeks, Phone: (501) 575-6175.

(b) *Approved Course*:

Abatement Worker (Certified 10/7/88).

Colorado

(3)(a) *State Agency*: Colorado Dept. of Health, Address: 4210 East 11th Ave., Denver, CO 80220, Contact: David R. Ouimette, Phone: (303) 320-8333.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 7/8/89).

Contractor/Supervisor (full from 7/8/89).

Inspector/Management Planner (full from 7/8/89).

Project Designer (full from 7/8/89).

(i)(a) *Training Provider*: Air Technology & Associates.

Address: 724 Oil Hill Rd., P.O. Box 23, El Dorado, KS 67042, Contact: Richard Green, Phone: (913) 841-1193.

(b) *Approved Courses*:

Abatement Worker (Certification Pending).

Abatement Worker Annual Review (Certification Pending).

Contractor/Supervisor (Certification Pending).

Contractor/Supervisor Annual Review (Certification Pending).

(ii)(a) *Training Provider*: Haz - Cure International.

Address: 1555 Simms St., Lakewood, CO 80215, Contact: Edmund C. Garthe, Phone: (303) 232-3174.

(b) *Approved Courses*:

Abatement Worker (Certification Pending).

Abatement Worker Annual Review (Certification Pending).

Contractor/Supervisor (Certification Pending).

Contractor/Supervisor Annual Review (Certification Pending).

(iii)(a) *Training Provider*: Precision Safety and Services Inc.

Address: 1245 Windemaker Lane, Colorado Springs, CO 80907, Contact: James R. Mapes, Jr., Phone: (719) 593-8596.

(b) *Approved Courses*:

Abatement Worker Annual Review (Certification Pending).

Contractor/Supervisor (Certification Pending).

Contractor/Supervisor Annual Review (Certification Pending).

(iv)(a) *Training Provider*: QA Training & Inspection Services.

Address: 1405 Krameria St., Suite 4-D, Denver, CO 80220, Contact: Garrett Fleming, Phone: (303) 388-7388.

(b) *Approved Courses*:

Abatement Worker (Certification Pending).

Abatement Worker Annual Review (Certification Pending).

Contractor/Supervisor (Certification Pending).

Contractor/Supervisor Annual Review (Certification Pending).

(v)(a) *Training Provider*: The Environmental Training Center.

Address: 2781 West Oxford Ave. Unit No. 7, Englewood, CO 80110, Contact: Harvey Lindenberg, Phone: (303) 781-0422.

(b) *Approved Courses*:

Abatement Worker Annual Review (Certification Pending).

Contractor/Supervisor Annual Review (Certification Pending).

Inspector/Management Planner (Certification Pending).

Inspector/Management Planner Annual Review (Certification Pending).

(vi)(a) *Training Provider*: U.S. Army Environmental Hygiene Activity - West.

Address: Fitzsimons Army Medical Center, Aurora, CO 80045-5001, Contact: Major Wendell C. King, Phone: (303) 361-8381.

(b) *Approved Courses*:

Abatement Worker (Certified 12/20/89).

Contractor/Supervisor (Certified 12/20/89).

Delaware

(4)(a) *State Agency*: Delaware Dept. of Administrative Services, Address: O'Neill Building, P.O. Box 1401, Dover, DE 19903, Contact: Robert Foster, Phone: (302) 736-5644.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 8/14/89).

Contractor/Supervisor (full from 8/14/89).

Delaware Department of Administrative Services, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider*: Delaware Technical & Community College, Terry Campus.

Address: 1832 North Dupont Pkwy., Dover, DE 19901, Contact: David T. Stanley, Phone: (302) 736-5428.

(b) *Approved Courses*:

Abatement Worker (Certified 4/1/88).

Contractor/Supervisor (Certified 4/1/88).

(ii)(a) *Training Provider*: Local Union No. 42 Heat - Pipe & Frost Union.

Address: 1188 River Rd., New Castle, DE 19720, Contact: Robert Holden, Phone: (302) 328-4203.

(b) *Approved Courses*:

Abatement Worker (Certified 3/5/87).

Abatement Worker Annual Review (Certified 3/5/87).

Contractor/Supervisor (Certified 3/5/87).

Contractor/Supervisor Annual Review (Certified 3/5/87).

Illinois

(5)(a) *State Agency*: Illinois Department of Public Health Division of Environmental Health, Address: 535 West Jefferson St., Springfield, IL 62761, Contact: R. Cook, Phone: (217) 782-3517.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 3/13/90).

Contractor/Supervisor (full from 3/13/90).

Inspector (full from 3/13/90).

Inspector/Management Planner (full from 3/13/90).

Project Designer (full from 3/13/90).

Indiana

(6)(a) *State Agency*: Indiana Department of Environmental Management Office of Air Management, Address: 105 South Meridian St., P.O. Box 6015, Indianapolis, IN 46206-6015, Contact: Debra Dubenetzky, Phone: (317) 232-8373.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 11/10/89).

Contractor/Supervisor (full from 11/10/89).

Inspector (full from 11/10/89).

Inspector/Management Planner (full from 11/10/89).

Project Designer (full from 11/10/89).

Iowa

(7)(a) *State Agency*: Iowa Dept. of Education School Facilities Administration & Accreditation, Address: Grimes State Office Bldg., Des Moines, IA 50319-0146, Contact: C. Milton Wilson, Phone: (515) 281-4743.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 11/30/87).

Contractor/Supervisor (full from 11/30/87).

Inspector (full from 11/30/87).

Inspector/Management Planner (full from 11/30/87).

Project Designer (full from 11/30/87).

**Iowa Department of Education
Administrative Finance School Plant
Facilities, EPA-Approved Courses for
Abatement Workers, Contractors/
Supervisors, Inspectors/Management
Planners, and Project Designers**

(i)(a) *Training Provider:* Ames
Environmental, Inc.

Address: 3910 Lincoln Way, Ames, IA
50010, Contact: Ann Fairchild, Phone:
(515) 292-3400.

(b) *Approved Courses:*

Abatement Worker (Certified 1/18/90).

Abatement Worker Annual Review
(Certified 1/18/90).

Inspector Annual Review (Certified 12/
8/89).

(ii)(a) *Training Provider:* Iowa Electric
Light & Power.

Address: Duane Arnold Nuclear Energy
Center, 3363 DEAC Rd., Palo, IA
52324, Contact: Robert Tucker, Phone:
(319) 851-7574.

(b) *Approved Course:*

Contractor/Supervisor (Certified 10/1/
89).

(iii)(a) *Training Provider:* Iowa
Environmental Services, Inc.

Address: 820 First St., Suite 200, West
Des Moines, IA 50365, Contact: Glenn
Soyer, Phone: (515) 279-8042.

(b) *Approved Courses:*

Abatement Worker (Certified 3/27/89).

Contractor/Supervisor (Certified 10/1/
89).

(iv)(a) *Training Provider:* Iowa Illinois
Thermal Insulation Inc.

Address: P.O. Box 931, Davenport, IA
52805-0931, Contact: Richard H.
Knauss, Phone: (319) 324-0685.

(b) *Approved Courses:*

Abatement Worker (Certified 12/1/89).

(v)(a) *Training Provider:* M & W
Environmental Consultants, Inc.

Address: RR No. 1 Wells Dr., Canton, IA
61520, Contact: Vahooman Mirkhaef,
Phone: (800) 445-8745.

(b) *Approved Course:*

Inspector/Management Planner
(Certified 10/1/89).

Kansas

(8)(a) *State Agency:* Kansas Dept. of
Health and Environment Asbestos
Control Section, Address: Forbes Field
Building 740, Topeka, KS 66620-7430,
Contact: Howard F. Saiger, Phone: (913)
296-1544.

(b) *Approved Accreditation Program
Disciplines:*

Abatement Worker (interim from 11/6/
86).*

Abatement Worker (full from 12/16/
87).*

Contractor/Supervisor (interim from 11/
6/86).

Contractor/Supervisor (full from 12/16/
87).

Massachusetts

(9)(a) *State Agency:* Massachusetts
Dept. of Labor & Industries; Division of
Occupational Hygiene, Address: 1001
Watertown St., West Newton, MA
02185, Contact: Patricia Circone, Phone:
(617) 727-3983.

(b) *Approved Accreditation Program
Disciplines:*

Abatement Worker (full from 10/30/87).

Contractor/Supervisor (full from 10/30/
87).

Inspector (full from 10/30/87).

Inspector/Management Planner (full
from 10/30/87).

Project Designer (full from 10/30/87).

*Massachusetts Department of Health,
EPA-Approved Courses for Abatement
Workers, Contractors/Supervisors,
Inspectors/Management Planners, and
Project Designers*

(i)(a) *Training Provider:* A & S
Training School, Inc.

Address: 99 South Cameron St.,
Harrisburg, PA 17101, Contact:
William I. Roberts, Phone: (717) 257-
1360.

(b) *Approved Courses:*

Contractor/Supervisor (Certified 5/4/
88).

Contractor/Supervisor Annual Review
(Certified 5/4/89).

(ii)(a) *Training Provider:* Abatement
Technical Corporation c/o Ecosystems,
Inc.

Address: 5 North Meadow Rd.,
Medfield, MA 02052, Contact: Joseph
C. Mohen, Phone: (609) 692-0883.

(b) *Approved Courses:*

Abatement Worker (Certified 4/28/88).

Contractor/Supervisor (Certified 4/28/
88).

Inspector/Management Planner
(Certified 4/28/88).

Project Designer (Certified 4/28/88).

(iii)(a) *Training Provider:* Asbestos
Workers Union Local No. 6.

Address: 1725 Revere Beach Pkwy.,
Everett, MA 02149, Contact: James P.
McCourt, Phone: (617) 387-2679.

(b) *Approved Courses:*

Abatement Worker (Certified 4/25/88).

Abatement Worker Annual Review
(Certified 4/25/89).

*Applies only to workers who have taken the
Kansas Contractor/Supervisor course and passed
the State's worker exam.

Contractor/Supervisor (Certified 4/25/
88).

Contractor/Supervisor Annual Review
(Certified 4/25/89).

(iv)(a) *Training Provider:* Astoria
Industries, Inc.

Address: 538 Stewart Ave., Brooklyn,
NY 11222, Contact: Gary Dipaolo,
Phone: (718) 387-0011.

(b) *Approved Course:*

Abatement Worker (Certified 4/8/88).

(v)(a) *Training Provider:* Astral
Environmental Assoc.

Address: 3 Adams Lane, Westford, MA
01886, Contact: Dorothy Young, Phone:
(508) 692-2070.

(b) *Approved Courses:*

Abatement Worker (Certified 6/5/89).

Abatement Worker Annual Review
(Certified 7/13/89).

Contractor/Supervisor (Certified 7/13/
89).

Contractor/Supervisor Annual Review
(Certified 7/13/89).

(vi)(a) *Training Provider:* BCM
Engineering.

Address: 12 Alfred St., Suite 300,
Woburn, MA 01801, Contact: Pam
Evans, Phone: (617) 935-7080.

(b) *Approved Courses:*

Abatement Worker (Certified 4/28/88).

Inspector/Management Planner
(Certified 4/28/88).

Project Designer (Certified 4/28/88).

(vii)(a) *Training Provider:* Briggs
Associates, Inc.

Address: 400 Hingham St., P.O. Box 369,
Rockland, MA 02370, Contact: Paul
Skorohod, Phone: (617) 871-6040.

(b) *Approved Courses:*

(viii)(a) *Training Provider:* Certified
Engineering & Testing Co., Inc.

Address: 100 Grossman Dr., Braintree,
MA 02184, Contact: Robert
Thornburgh, Phone: (617) 849-0111.

(b) *Approved Courses:*

Abatement Worker (Certified 9/26/88).

Abatement Worker Annual Review
(Certified 9/26/88).

Contractor/Supervisor (Certified 9/26/
88).

Contractor/Supervisor Annual Review
(Certified 9/26/88).

Inspector/Management Planner
(Certified 9/26/88).

Inspector/Management Planner Annual
Review (Certified 9/26/88).

Project Designer (Certified 9/26/88).

(ix)(a) *Training Provider:* Community
College of Rhode Island.

Address: 1762 Louisquisset Pike,
Lincoln, RI 02865, Contact: Richard
Tessier, Phone: (401) 333-7060.

(b) *Approved Courses:*
 Contractor/Supervisor Annual Review (Certified 2/5/90).
 Inspector/Management Planner Annual Review (Certified 8/3/89).
 (x)(a) *Training Provider:* Con-Test, Inc.
 Address: P.O. Box 591, East Longmeadow, MA 01028, Contact: Brenda Bolduc, Phone: (413) 525-1198.
 (b) *Approved Courses:*
 Abatement Worker (Certified 2/25/88).
 Abatement Worker Annual Review (Certified 2/25/89).
 Contractor/Supervisor (Certified 2/25/88).
 Contractor/Supervisor Annual Review (Certified 2/25/89).
 Inspector/Management Planner (Certified 2/25/88).
 Inspector/Management Planner Annual Review (Certified 2/25/89).
 Project Designer (Certified 2/25/88).
 (xi)(a) *Training Provider:* Dennison Environmental, Inc.
 Address: 35 Industrial Hwy., Woburn, MA 01880, Contact: Joan Ryan, Phone: (617) 932-9400.
 (b) *Approved Courses:*
 Abatement Worker (Certified 4/8/88).
 Abatement Worker Annual Review (Certified 4/8/89).
 Contractor/Supervisor (Certified 4/8/88).
 Contractor/Supervisor Annual Review (Certified 4/8/89).
 Inspector (Certified 4/8/88).
 Inspector/Management Planner Annual Review (Certified 4/8/89).
 (xii)(a) *Training Provider:* ESTR1.
 Address: 55 Ferncroft Rd., Suite 201, Danners, MA 01923, Contact: Martin Leavitt, Phone: (508) 777-8789.
 (b) *Approved Courses:*
 Abatement Worker (Certified 7/17/89).
 Abatement Worker Annual Review (Certified 7/17/89).
 Contractor/Supervisor (Certified 7/17/89).
 Contractor/Supervisor Annual Review (Certified 7/17/89).
 Inspector/Management Planner (Certified 9/12/89).
 Inspector/Management Planner Annual Review (Certified 9/12/89).
 (xiii)(a) *Training Provider:* EcoSystems, Inc.
 Address: 2 Deerwood Rd., Westport, CT 06880, Contact: Richard Doyle, Phone: (203) 226-4421.
 (b) *Approved Courses:*
 Abatement Worker (Certified 6/13/89).
 Contractor/Supervisor (Certified 6/13/89).
 (xiv)(a) *Training Provider:* Enviromed Services.

Address: 25 Science Park, New Haven, CT 06511, Contact: Lawrence J Cannon, Phone: (203) 786-5560.
 (b) *Approved Courses:*
 Abatement Worker (Certified 10/16/89).
 Contractor/Supervisor (Certified 10/16/89).
 Contractor/Supervisor Annual Review (Certified 10/16/89).
 (xv)(a) *Training Provider:* Environmental Training Corp.
 Address: 100 Moody St., Suite 200, Ludlow, MA 01056, Contact: Ann Folta, Phone: (413) 589-1882.
 (b) *Approved Courses:*
 Abatement Worker (Certified 8/5/88).
 Abatement Worker Annual Review (Certified 8/5/89).
 Contractor/Supervisor (Certified 8/5/88).
 Contractor/Supervisor Annual Review (Certified 8/5/89).
 (xvi)(a) *Training Provider:* Environmental Training Services.
 Address: 62 - H Montvale Pl., Stoneham, MA 02180, Contact: Maryann Martin, Phone: (617) 279-0855.
 (b) *Approved Courses:*
 Abatement Worker (Certified 4/8/88).
 Abatement Worker Annual Review (Certified 4/8/89).
 Contractor/Supervisor (Certified 4/8/88).
 Contractor/Supervisor Annual Review (Certified 4/8/89).
 Initial Supervisor 6-Hour Supplement (Certification Pending).
 Project Designer (Certified 4/8/88).
 Project Designer Annual Review (Certified 4/8/89).
 (xvii)(a) *Training Provider:* General Physics Corp.
 Address: 6700 Alexander Bell Dr., Columbia, MD 21046, Contact: Andy Marsh, Phone: (301) 290-2300.
 (b) *Approved Courses:*
 Abatement Worker Annual Review (Certified 9/6/88).
 Contractor/Supervisor (Certified 9/6/88).
 Contractor/Supervisor Annual Review (Certified 9/6/88).
 (xviii)(a) *Training Provider:* Hall-Kimbrell Environmental Services.
 Address: P.O. Box 307, Lawrence, KS 66046, Contact: Alice Hart, Phone: (800) 346-2860.
 (b) *Approved Courses:*
 Abatement Worker (Certified 4/25/88).
 Abatement Worker Annual Review (Certified 4/25/88).
 Contractor/Supervisor (Certified 4/25/88).
 Contractor/Supervisor Annual Review (Certified 4/25/88).

Inspector/Management Planner (Certified 4/25/88).
 Inspector/Management Planner Annual Review (Certified 4/25/88).
 Project Designer (Certified 4/25/88).
 Project Designer Annual Review (Certified 4/25/88).
 (xix)(a) *Training Provider:* Harvard School of Public Health.
 Address: 677 Huntington Ave., Boston, MA 02115, Contact: William A. Burgess, Phone: (617) 732-1171.
 (b) *Approved Courses:*
 Contractor/Supervisor (Certified 2/25/88).
 Inspector/Management Planner (Certified 2/25/88).
 Inspector/Management Planner Annual Review (Certified 5/25/89).
 Project Designer (Certified 2/25/88).
 Project Designer Annual Review (Certified 5/25/89).
 (xx)(a) *Training Provider:* Hygeia, Inc.
 Address: 303 Bear Hill Rd., Waltham, MA 02154, Contact: Dr. David Kaplan, Phone: (617) 890-4999.
 (b) *Approved Courses:*
 Abatement Worker (Certified 8/5/88).
 Contractor/Supervisor (Certified 8/5/88).
 Project Designer (Certified 8/5/88).
 (xxi)(a) *Training Provider:* Hygienetics, Inc.
 Address: 150 Causeway St., Boston, MA 02114, Contact: Marybeth Carver, Phone: (617) 723-4664.
 (b) *Approved Courses:*
 Abatement Worker Annual Review (Certified 2/25/89).
 Contractor/Supervisor (Certified 2/25/89).
 Contractor/Supervisor Annual Review (Certified 2/25/89).
 Inspector/Management Planner (Certified 2/25/89).
 Inspector/Management Planner Annual Review (Certified 2/25/89).
 (xxii)(a) *Training Provider:* Institute for Environmental Education.
 Address: 208 West Cummings Pk., Woburn, MA 01801, Contact: Lisa Stammer, Phone: (617) 935-0664.
 (b) *Approved Courses:*
 Abatement Worker (Certified 4/28/88).
 Abatement Worker Annual Review (Certified 5/26/89).
 Contractor/Supervisor (Certified 4/28/88).
 Contractor/Supervisor Annual Review (Certified 5/26/89).
 Inspector/Management Planner (Certified 4/28/88).
 Inspector/Management Planner Annual Review (Certified 5/26/89).
 Project Designer (Certified 4/28/88).

(xxiii)(a) *Training Provider*: JF Walton & Co.

Address: 201 Marginal St., P.O. Box 6120, Chelsea, MA 02150, Contact: James O'Connor, Phone: (617) 884-0350.

(b) *Approved Courses*:

Abatement Worker (Certified 3/28/88).
Abatement Worker Annual Review (Certified 3/28/89).

(xxiv)(a) *Training Provider*: Kaselaan & D'Angelo Associates.

Address: 500 Victory Rd., Suite 270, North Quincy, MA 02171, Contact: Paul Heffernan, Phone: (617) 472-1330.

(b) *Approved Courses*:

Abatement Worker (Certified 2/25/88).
Abatement Worker Annual Review (Certified 2/25/89).

Contractor/Supervisor (Certified 2/25/88).

Contractor/Supervisor Annual Review (Certified 2/25/89).

Inspector/Management Planner (Certified 2/25/88).

Inspector/Management Planner Annual Review (Certified 2/25/89).

Project Designer (Certified 2/25/88).

(xxv)(a) *Training Provider*: Mystic Air Quality Consultants.

Address: 1085 Buddington Rd., Groton, CT 06340, Contact: Christopher Eident, Phone: (203) 449-8903.

(b) *Approved Courses*:

Abatement Worker (Certified 1/11/89).
Abatement Worker Annual Review (Certified 2/2/90).

Contractor/Supervisor (Certified 1/11/89).

Contractor/Supervisor Annual Review (Certified 1/11/89).

Inspector/Management Planner (Certified 2/2/90).

Inspector/Management Planner Annual Review (Certified 2/2/90).

(xxvi)(a) *Training Provider*: National Asbestos Training Center of Kansas.

Address: 6600 College Blvd., Overland Park, KS 66211, Contact: Lani Himegarner, Phone: (913) 491-0181.

(b) *Approved Courses*:

Abatement Worker (Certified 5/20/88).
Abatement Worker Annual Review (Certified 5/20/89).

Contractor/Supervisor (Certified 5/20/88).

Contractor/Supervisor Annual Review (Certified 5/20/89).

(xxvii)(a) *Training Provider*: National Training Fund/Workers Institute for Safety & Health (WISH).

Address: 1126 16th St., NW, Washington, DC 20036, Contact: Scott Schneider, Phone: (202) 887-1980.

(b) *Approved Courses*:

Abatement Worker (Certified 5/10/88).
Contractor/Supervisor (Certified 5/10/88).

Contractor/Supervisor Annual Review (Certified 5/10/89).

(xxviii)(a) *Training Provider*: New England Laborers Training Trust Fund.

Address: 37 East St., Hopkinton, MA 01748-2699, Contact: James Merloni, Jr., Phone: (617) 435-6316.

(b) *Approved Courses*:

Abatement Worker (Certified 2/25/88).
Abatement Worker Annual Review (Certified 2/25/89).

Contractor/Supervisor (Certified 2/25/89).

Contractor/Supervisor Annual Review (Certified 8/8/89).

Initial Supervisor 6-Hour Supplement (Certified 2/15/89).

(xxix)(a) *Training Provider*: Northern Asbestos Abatement Co.

Address: 757 A Turnpike St., North Andover, MA 01845, Contact: J. William Vitta, Phone: (508) 681-8711.

(b) *Approved Courses*:

Abatement Worker (Certified 3/18/89).
Abatement Worker Annual Review (Certified 3/18/89).

Contractor/Supervisor (Certified 3/18/89).

Contractor/Supervisor Annual Review (Certified 3/18/89).

Initial Supervisor 6-Hour Supplement (Certified 4/3/89).

(xxx)(a) *Training Provider*: O'Brien & Gere Engineers, Inc.

Address: 1304 Buckley Rd., Syracuse, NY 13221, Contact: Edwin Tiffit, Phone: (315) 451-4700.

(b) *Approved Courses*:

Inspector/Management Planner (Certified 11/7/88).

Project Designer (Certified 11/7/88).

(xxxi)(a) *Training Provider*: Quality Control Services, Inc.

Address: 10 Lowell Junction Rd., Andover, MA 01810, Contact: Ajay Pathak, Phone: (508) 475-0623.

(b) *Approved Courses*:

Abatement Worker (Certified 5/6/88).
Abatement Worker Annual Review (Certified 5/16/89).

Contractor/Supervisor (Certified 5/6/88).

Contractor/Supervisor Annual Review (Certified 5/16/89).

(xxxii)(a) *Training Provider*: Safety Council of Western Massachusetts.

Address: 90 Berkshire Ave., Springfield, MA 01109, Contact: Tate Berkan, Phone: (413) 737-7908.

(b) *Approved Courses*:

Abatement Worker (Certified 6/21/88).
Abatement Worker Annual Review (Certified 6/21/89).

(xxxiii)(a) *Training Provider*: The Environmental Institute.

Address: 350 Franklin Rd., Suite 300, Marietta, GA 30067, Contact: Bill Ewing, Phone: (404) 425-2000.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 10/28/88).

Contractor/Supervisor Annual Review (Certified 10/28/88).

Inspector/Management Planner (Certified 10/28/88).

Project Designer (Certified 10/28/88).

(xxxiv)(a) *Training Provider*: Tufts University Asbestos Information Center.

Address: 474 Boston Ave., Medford, MA 02155, Contact: Anne Chabot, Phone: (617) 381-3531.

(b) *Approved Courses*:

Abatement Worker (Certified 3/16/88).
Abatement Worker Annual Review (Certified 3/16/89).

Contractor/Supervisor (Certified 3/16/88).

Contractor/Supervisor Annual Review (Certified 3/16/89).

Inspector/Management Planner (Certified 3/16/88).

Inspector/Management Planner Annual Review (Certified 3/16/89).

Project Designer (Certified 3/16/88).

Project Designer Annual Review (Certified 3/16/89).

(xxxv)(a) *Training Provider*: Universal Engineering Corp.

Address: 100 Boylston St., Boston, MA 02116, Contact: Janet Hester, Phone: (617) 542-8216.

(b) *Approved Courses*:

(xxxvi)(a) *Training Provider*: University of Massachusetts, Division of Environmental Health & Safety.

Address: N414 Morrill Science Center, Amherst, MA 01003, Contact: Donald Robinson, Phone: (413) 545-2682.

(b) *Approved Courses*:

(xxxvii)(a) *Training Provider*: Weston-Atc, Inc.

Address: 1635 Pumphrey Ave., Auburn, AL 36830, Contact: Ron Thompson, Phone: (205) 826-6100.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 5/25/89).

Contractor/Supervisor Annual Review (Certified 5/25/89).

Inspector/Management Planner (Certified 5/25/89).

Inspector/Management Planner Annual Review (Certified 5/25/89).

Project Designer (Certified 5/25/89).

Project Designer Annual Review (Certified 5/25/89).

(xxxviii)(a) *Training Provider*: Young Sales Corp.
Address: 1054 Central Industrial Drive, St. Louis, MO 63110, Contact: W. Todd McCane, Phone: (314) 771-3080.

(b) *Approved Course*:
Abatement Worker (Certified 6/13/89).

Michigan

(10)(a) *State Agency*: State of Michigan Dept. of Public Health, Address: 3500 North Logan, P.O. Box 30035, Lansing, MI 48909, Contact: Bill DeLiefde, Phone: (517) 335-8186.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 4/13/89).
Contractor/Supervisor (full from 4/13/89).

Inspector (full from 4/13/89).

Inspector/Management Planner (full from 4/13/89).

Project Designer (full from 4/13/89).

Michigan Department of Public Health, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider*: Alderink & Associates, Inc.

Address: 3221 3 Miles Rd. NW., Grand Rapids, MI 49504, Contact: David Lutheuhoff, Phone: (616) 791-0730.

(b) *Approved Courses*:

Abatement Worker (Certified 11/28/89).

Abatement Worker Annual Review (Certified 11/28/89).

Contractor/Supervisor (Certified 11/28/89).

Contractor/Supervisor Annual Review (Certified 11/28/89).

(ii)(a) *Training Provider*: Asbestos Management, Inc.

Address: 36700 S. Huron Rd., New Boston, MI 48164, Contact: LaDonna Slifco, Phone: (313) 961-6135.

(b) *Approved Courses*:

Abatement Worker (Certified 12/20/89).

Abatement Worker Annual Review (Certified 12/20/89).

Contractor/Supervisor (Certified 12/20/89).

Contractor/Supervisor Annual Review (Certified 12/20/89).

Inspector/Management Planner (Certified 12/20/89).

Inspector/Management Planner Annual Review (Certified 12/20/89).

(iii)(a) *Training Provider*: Asbestos Services Inc.

Address: 9028 Hills Rd., Baroda, MI 49101, Contact: Dennis W. Calkins, Phone: (616) 422-2174.

(b) *Approved Courses*:

Abatement Worker (Certified 1/11/90).
Abatement Worker Annual Review (Certified 1/11/90).

Contractor/Supervisor (Certified 1/11/90).

Contractor/Supervisor Annual Review (Certified 1/11/90).

(iv)(a) *Training Provider*: BDN Industrial Hygiene Consultants.

Address: 8105 Valleywood Ln., Portage, MI 49002, Contact: Brent Bassett, Phone: (616) 329-1237.

(b) *Approved Courses*:

Abatement Worker (Certified 11/13/89).

Abatement Worker Annual Review (Certified 11/13/89).

Contractor/Supervisor (Certified 11/13/89).

Contractor/Supervisor Annual Review (Certified 11/13/89).

Inspector/Management Planner (Certified 12/14/89).

(v)(a) *Training Provider*: Barton Associates.

Address: 1265 Westport Rd., Ann Arbor, MI 48103, Contact: Sara Bassett, Phone: (313) 665-3681.

(b) *Approved Courses*:

Abatement Worker (Certified 1/19/90).

Contractor/Supervisor (Certified 9/18/89).

(vi)(a) *Training Provider*: Bierlein Demolition.

Address: 2903 S. Graham Rd., Saginaw, MI 48603, Contact: Ramond E. Passeno, Phone: (517) 781-1810.

(b) *Approved Courses*:

Contractor/Supervisor (Certified 11/20/89).

Contractor/Supervisor Annual Review (Certified 11/20/89).

(vii)(a) *Training Provider*: Clayton Environmental Conslt.

Address: 22345 Roethel Dr., Novi, MI 48050, Contact: Charlotte Heideman, Phone: (313) 344-1770.

(b) *Approved Courses*:

Inspector/Management Planner (Certified 2/9/90).

Inspector/Management Planner Annual Review (Certified 1/9/90).

(viii)(a) *Training Provider*: DeLisle Associates, LTD.

Address: 8225 Moorsbridge Rd., Portage, MI 49002, Contact: Mark DeLisle, Phone: (616) 385-1018.

(b) *Approved Courses*:

Abatement Worker (Certified 12/12/89).

Abatement Worker Annual Review (Certified 12/12/89).

Contractor/Supervisor (Certified 12/12/89).

Contractor/Supervisor Annual Review (Certified 12/12/89).

Inspector/Management Planner (Certified 12/12/89).

Inspector/Management Planner Annual Review (Certified 12/12/89).

(ix)(a) *Training Provider*: Dore & Associates Contracting.

Address: P.O. Box 146, Bay City, MI 48707, Contact: Joseph P. Goldring, Phone: (517) 684-8358.

(b) *Approved Courses*:

Abatement Worker (Certified 1/31/90).

Contractor/Supervisor (Certified 1/31/90).

(x)(a) *Training Provider*: EMU Corporate Services.

Address: 3075 Washtenaw Ave., Ypsilanti, MI 48197, Contact: Bertrand Ramsay, Phone: (313) 487-2259.

(b) *Approved Courses*:

Abatement Worker (Certified 1/5/90).

Abatement Worker Annual Review (Certified 1/5/89).

Contractor/Supervisor (Certified 1/5/90).

Contractor/Supervisor Annual Review (Certified 1/5/90).

Inspector/Management Planner (Certified 1/5/90).

Inspector/Management Planner Annual Review (Certified 1/5/90).

(xi)(a) *Training Provider*: ENTELA Engineering Service.

Address: 4020 W. River Dr., Comstock Park, MI 49321, Contact: Bruce H. Connell, Phone: (616) 784-7774.

(b) *Approved Courses*:

Abatement Worker (Certified 9/26/89).

Abatement Worker Annual Review (Certified 12/14/89).

Contractor/Supervisor (Certified 9/26/89).

Contractor/Supervisor Annual Review (Certified 12/14/89).

(xii)(a) *Training Provider*: Envir. & Occ. Consult. & Trng.

Address: 3410 East Cork Street, Kalamazoo, MI 49001, Contact: A. Clark Kahn, Phone: (616) 388-6085.

(b) *Approved Courses*:

Abatement Worker (Certified 11/14/89).

Abatement Worker Annual Review (Certified 11/14/89).

Contractor/Supervisor (Certified 11/14/89).

Contractor/Supervisor Annual Review (Certified 11/14/89).

(xiii)(a) *Training Provider*: Fibertec Inc.

Address: 700 Abbott Rd., East Lansing, MI 48823, Contact: Matthew H. Frisch, Phone: (517) 351-0345.

(b) *Approved Course*:

Contractor/Supervisor (Certified 10/4/89).

(xiv)(a) *Training Provider*: G & H Contracting Assoc.

Address: 300 Acron St., Plainwell, MI 49080, Contact: William Martin, Phone: (616) 685-1606.

(b) *Approved Courses:*

Abatement Worker (Certified 12/20/89).
Contractor/Supervisor (Certified 12/20/89).

(xv)(a) *Training Provider:* Hall-Kimbrell Environ Services.

Address: 4840 W. 15th St., Lawrence, KS 66044, Contact: Alice Hart, Phone: (800) 346-2860.

(b) *Approved Courses:*

Abatement Worker (Certified 4/2/90).
Abatement Worker Annual Review (Certified 4/2/90).
Contractor/Supervisor (Certified 4/2/90).

Contractor/Supervisor Annual Review (Certified 4/2/90).

(xvi)(a) *Training Provider:* Industrial Environmental Consulting.

Address: 2875 Northwind, E. Lansing, MI 48823, Contact: Michael Tillotson, Phone: (517) 332-7026.

(b) *Approved Courses:*

Abatement Worker (Certified 1/2/90).
Abatement Worker Annual Review (Certified 1/2/90).
Contractor/Supervisor (Certified 1/2/90).

Contractor/Supervisor Annual Review (Certified 1/2/90).

Inspector/Management Planner (Certified 1/2/90).

Inspector/Management Planner Annual Review (Certified 1/2/90).

(xvii)(a) *Training Provider:* Jensen Environmental & Training.

Address: 651 Fisher Rd., Grosse Pointe, MI 48230, Contact: Leonard L. Jensen, Phone: (313) 882-2021.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 8/25/89).

Contractor/Supervisor Annual Review (Certified 8/25/89).

(xviii)(a) *Training Provider:* Kemron Environmental Services.

Address: 32740 Northwestern Hwy., Farmington Hills, MI 48018, Contact: Thomas Klein, Phone: (313) 626-2426.

(b) *Approved Courses:*

Abatement Worker (Certified 1/22/90).
Abatement Worker Annual Review (Certified 1/22/90).

Contractor/Supervisor (Certified 1/22/90).

Contractor/Supervisor Annual Review (Certified 1/22/90).

Inspector (Certified 3/15/90).

Inspector Annual Review (Certified 3/15/90).

(xix)(a) *Training Provider:* Manage Right Asbestos.

Address: 314 W. Genesee Ave., Saginaw, MI 48602, Contact: Mary Margaret Brown, Phone: (517) 753-9290.

(b) *Approved Courses:*

Abatement Worker (Certified 1/2/90).
Contractor/Supervisor (Certified 1/2/90).

(xx)(a) *Training Provider:* Michigan Laborers' Training.

Address: 11155 S. Beardslee Rd., Perry, MI 48872, Contact: Edwin H. McDonald, Phone: (517) 625-4919.

(b) *Approved Courses:*

Abatement Worker (Certified 9/12/89).
Abatement Worker Annual Review (Certified 9/12/89).

Contractor/Supervisor (Certified 9/12/89).

Contractor/Supervisor Annual Review (Certified 9/12/89).

(xxi)(a) *Training Provider:* National Asbestos Abatement.

Address: 3080 N Center Rd., Flint, MI 48506, Contact: James Sheaffer, Phone: (313) 736-7911.

(b) *Approved Courses:*

Abatement Worker (Certified 3/20/90).
Abatement Worker Annual Review (Certified 3/20/90).

Contractor/Supervisor (Certified 3/20/90).

Contractor/Supervisor Annual Review (Certified 3/20/90).

(xxii)(a) *Training Provider:* Northern Safety Consultants.

Address: 1406 Lincoln Ave., Marquette, MI 49855, Contact: Christopher Baker, Phone: (906) 228-5161.

(b) *Approved Courses:*

Abatement Worker (Certified 3/14/90).
Abatement Worker Annual Review (Certified 3/14/90).

Contractor/Supervisor (Certified 3/14/90).

Contractor/Supervisor Annual Review (Certified 3/14/90).

Project Designer (Certified 3/14/90).

Project Designer Annual Review (Certified 3/14/90).

(xxiii)(a) *Training Provider:* Nova Environmental, Inc.

Address: 5340 Plymouth Rd., Suite 210, Ann Arbor, MI 48105, Contact: Kary S. Amin, Phone: (313) 930-0995.

(b) *Approved Courses:*

Contractor/Supervisor Annual Review (Certified 1/2/90).

Inspector/Management Planner Annual Review (Certified 12/14/89).

(xxiv)(a) *Training Provider:* SE MI Coalition on Occ Safety.

Address: 2727 Second Ave., Detroit, MI 48201, Contact: Barbara Boylan, Phone: (313) 961-3345.

(b) *Approved Courses:*

Abatement Worker (Certified 11/28/89).
Abatement Worker Annual Review (Certified 11/28/89).

(xxv)(a) *Training Provider:* Sierra Analytical & Consulting.

Address: 307 N. First St., Ann Arbor, MI 48103, Contact: David Green, Phone: (313) 662-1155.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 3/14/90).

Contractor/Supervisor (Certified 12/18/89).

Contractor/Supervisor Annual Review (Certified 3/14/90).

(xxvi)(a) *Training Provider:* Summit Abatement Contracting.

Address: 7255 Tower Rd., Battle Creek, MI 49017, Contact: William Morris, Phone: (616) 968-4242.

(b) *Approved Courses:*

Abatement Worker (Certified 11/22/89).
Abatement Worker Annual Review (Certified 11/22/89).

Contractor/Supervisor (Certified 11/22/89).

Contractor/Supervisor Annual Review (Certified 11/22/89).

(xxvii)(a) *Training Provider:* Testing Engineers & Consultants.

Address: 1333 Rochester Rd., Troy, MI 48069, Contact: Karen Brunch, Phone: (313) 588-6200.

(b) *Approved Courses:*

Contractor/Supervisor (Certified 12/1/89).

Inspector/Management Planner (Certified 11/13/89).

Inspector/Management Planner Annual Review (Certified 11/13/89).

(xxviii)(a) *Training Provider:* Thermico Inc.

Address: 3405 Centennial Dr., Midland, MI 48640, Contact: Kevin Otis, Phone: (517) 496-2927.

(b) *Approved Course:*

Abatement Worker (Certified 4/2/90).

(xxix)(a) *Training Provider:* Trust Thermal Systems.

Address: 13109 Schavey Rd., Suite 2

Dewitt, Dewitt, MI 48820, Contact: Thomas J. Lowe, Phone: (517) 669-8834.

(b) *Approved Courses:*

Abatement Worker (Certified 1/8/90).
Abatement Worker Annual Review (Certified 1/8/90).

Contractor/Supervisor (Certified 1/8/90).

Contractor/Supervisor Annual Review (Certified 1/8/90).

(xxx)(a) *Training Provider:* Wonder Makers, Inc.

Address: 3101 Darmo, Kalamazoo, MI 49008, Contact: Michael Pinto, Phone: (616) 382-4154.

(b) *Approved Courses:*

Abatement Worker (Certified 11/20/89).
Abatement Worker Annual Review (Certified 11/20/89).
Contractor/Supervisor (Certified 11/20/89).
Contractor/Supervisor Annual Review (Certified 11/20/89).
Inspector/Management Planner (Certified 11/20/89).
Inspector/Management Planner Annual Review (Certified 11/20/89).

Minnesota

(11)(a) *State Agency:* Minnesota Dept. of Health Division of Environmental Health Section of Occupational Health, Address: 925 Southeast Delaware St., P.O. Box 59040, Minneapolis, MN 55459-0040, Contact: William A. Fetzner, Phone: (612) 627-5097.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 10/3/88).
Contractor/Supervisor (full from 10/3/88).

Minnesota Department of Health, Division of Environmental Health, Section of Occupational Health, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider:* Applied Environmental Sciences, Inc. (AES).

Address: Minneapolis Business & Tec. Center, Box 220, 511 11th Ave. South, Minneapolis, MN 55415, Contact: Franklin H. Dickson, Phone: (612) 339-5559.

(b) *Approved Courses:*

Abatement Worker (Certified 1/16/90).
Abatement Worker Annual Review (Certified 12/11/89).
Contractor/Supervisor (Certified 1/16/90).

Contractor/Supervisor Annual Review (Certified 12/11/89).

(ii)(a) *Training Provider:* Asbestos Technology & Training, Inc.

Address: 840 Hampden Ave., Suite 110, St. Paul, MN 55114, Contact: James Risimini, Phone: (612) 649-0043.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 12/29/89).
Contractor/Supervisor Annual Review (Certified 12/29/89).

(iii)(a) *Training Provider:* Hall-Kimbrell Environmental Services.

Address: 4840 W. 15th St., Lawrence, KS 66049, Contact: Alice M. Hartz, Phone: (800) 346-2860.

(b) *Approved Courses:*

Abatement Worker (Certified 1/12/90).
Abatement Worker Annual Review (Certified 1/12/90).

Contractor/Supervisor (Certified 1/12/90).

Contractor/Supervisor Annual Review (Certified 1/12/90).

(iv)(a) *Training Provider:* Ilse Engineering Inc.

Address: 205 Board of Trade Building, Duluth, MN 55802, Contact: John F. Ilse, Phone: (218) 720-3526.

(b) *Approved Courses:*

Contractor/Supervisor (Certified 1/23/90).

Contractor/Supervisor Annual Review (Certified 1/23/90).

(v)(a) *Training Provider:* Institute for Environmental Assessment, Inc.

Address: 433 Jackson St., Anoka, MN 55303, Contact: Jesse Lee, Phone: (612) 323-9770.

(b) *Approved Courses:*

Abatement Worker (Certified 11/12/89).
Abatement Worker Annual Review (Certified 11/12/89).

Contractor/Supervisor (Certified 11/12/89).

Contractor/Supervisor Annual Review (Certified 11/12/89).

(vi)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers Local No. 34.

Address: 708 South 10th St., Minneapolis, MN 55404, Contact: Lee Houske, Phone: (612) 332-3216.

(b) *Approved Courses:*

Abatement Worker (Certified 11/2/89).
Abatement Worker Annual Review (Certified 6/27/89).

Contractor/Supervisor (Certified 11/2/89).

Contractor/Supervisor Annual Review (Certified 6/27/89).

(vii)(a) *Training Provider:* Mayhew Training Associates, Inc. (META).

Address: P.O. Box 1961, Lawrence, KS 66044, Contact: Brad Mayhew, Phone: (800) 444-6382.

(b) *Approved Courses:*

Abatement Worker (Certified 3/5/90).
Abatement Worker Annual Review (Certified 3/5/90).

Contractor/Supervisor (Certified 3/5/90).

Contractor/Supervisor Annual Review (Certified 3/5/90).

(viii)(a) *Training Provider:* McNeil Environmental, Inc.

Address: 755 East Cliff Rd., Burnsville, MN 55337, Contact: Philip Allmon, Phone: (612) 890-3452.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 10/22/89).

Contractor/Supervisor Annual Review (Certified 10/22/89).

(ix)(a) *Training Provider:* Midwest Center for Occupational Health & Safety.

Address: 640 Jackson St., St. Paul, MN 55101, Contact: Jeanne F. Ayers, Phone: (612) 221-3992.

(b) *Approved Courses:*

Abatement Worker (Certified 1/22/90).
Abatement Worker Annual Review (Certified 1/22/90).

Contractor/Supervisor (Certified 1/22/90).

Contractor/Supervisor Annual Review (Certified 11/14/89).

(x)(a) *Training Provider:* Nova Environmental Services, Inc.

Address: Suite 420, Hazeltine Gates, 1107 Hazeltine Blvd., Chaska, MN 55318, Contact: Deborah S. Green, Phone: (612) 448-9393.

(b) *Approved Courses:*

Abatement Worker (Certified 11/20/89).
Abatement Worker Annual Review (Certified 11/20/89).

Contractor/Supervisor (Certified 11/20/89).

Contractor/Supervisor Annual Review (Certified 11/20/89).

(xi)(a) *Training Provider:* Southwest Technical College.

Address: Continuing Education, SW State University, FT 103, Marshall, MN 53103, Contact: Carole Treadway, Phone: (507) 537-7396.

(b) *Approved Courses:*

Abatement Worker (Certified 4/27/89).
Abatement Worker Annual Review (Certified 7/24/89).

Contractor/Supervisor (Certified 4/27/89).

Contractor/Supervisor Annual Review (Certified 7/24/89).

(xii)(a) *Training Provider:* Twin City Area Carpenter's Joint Apprenticeship Committee/United Brotherhood of Carpenters & Joiners.

Address: 2203 County Rd. C2, Roseville, MN 55113, Contact: Gerald W. Setterholm, Phone: (612) 633-8096.

(b) *Approved Courses:*

Abatement Worker (Certified 6/14/89).
Abatement Worker Annual Review (Certified 3/19/90).

Contractor/Supervisor (Certified 6/14/89).

Contractor/Supervisor Annual Review (Certified 3/19/90).

Nebraska

(12)(a) *State Agency:* Department of Health Division of Asbestos Control, Address: 301 Centennial Mall South,

P.O. Box 95007, Lincoln, NE 68509-5007.
Contact: Jacqueline M. Fiedler, Phone:
(402) 471-2541.

(b) Approved Accreditation Program Disciplines:

Abatement Worker (full from 5/9/89).
Contractor/Supervisor (full from 5/9/89).

Inspector (full from 5/9/89).

Inspector/Management Planner (full from 5/9/89).

Project Designer (full from 5/9/90).

*Nebraska Department of Health
Division of Asbestos Control, EPA-
Approved Courses for Abatement
Worker, Contractor/Supervisor,
Inspector, Inspector Management
Planner, and Project Designer*

(i)(a) Training Provider:
Environmental Salvage, LTD.

Address: 4930 South 23rd St., Omaha,
NE 68107, Contact: Tracy L. Coats,
Phone: (402) 733-2595.

(b) Approved Courses:

Abatement Worker Annual Review
(Certified 8/3/89).

Contractor/Supervisor Annual Review
(Certified 8/3/89).

(ii)(a) Training Provider: Institute for
Environmental Assessment.

Address: 433 Jackson St., Anoka, MN
55303, Contact: Jesse Lee, Phone:
(800) 233-9513.

(b) Approved Course:

Contractor/Supervisor Annual Review
(Certified 12/19/89).

(iii)(a) Training Provider: Insulators &
Asbestos Workers Midwest States
Health & Training Council.

Address: Route 2, Wahoo, NE 68066,
Contact: Ray Richmond, Phone: (402)
443-4810.

(b) Approved Courses:

Abatement Worker (Certified 5/22/89).
Contractor/Supervisor (Certified 5/22/89).

Contractor/Supervisor Annual Review
(Certified 11/27/89).

(iv)(a) Training Provider: National
Asbestos Council.

Address: 1777 Northeast Expressway,
Suite 150, Atlanta, GA 30329, Contact:
Tina Smith, Phone: (404) 633-2622.

(b) Approved Courses:

Abatement Worker (Certified 1/31/90).
Abatement Worker Annual Review
(Certified 12/15/89).

New Jersey

(13)(a) State Agency: State of New
Jersey Dept. of Health, Address: CN 360,
Trenton, NJ 08625-0360, Contact: James
A. Brownlee, Phone: (609) 984-2193.

**(b) Approved Accreditation Program
Disciplines:**

Abatement Worker (full from 6/18/85).
Contractor/Supervisor (full from 6/18/85).

**New Jersey Department of Health, EPA-
Approved Courses for Abatement
Workers and Contractors/Supervisors**

*Note: New Jersey-approved course
providers who present the training in another
State must develop their own examination.
They must also submit a detailed statement
about the development of the course
examination, as required by the Model Plan,
to the Regional Asbestos Coordinator in their
Region for EPA approval.

(i)(a) Training Provider: A & S
Training School, Inc.

Address: 99 South Cameron St.,
Harrisburg, PA 17101, Contact:
William Roberts/Robyn Brunson,
Phone: (717) 257-1360.

(b) Approved Courses:

Abatement Worker (Certified 5/20/85).
Contractor/Supervisor (Certified 5/20/85).

(ii)(a) Training Provider: Alternative
Ways, Inc.

Address: Barclay Pavilion East, Suite
222, Rte. 70, Cherry Hill, NJ 08034,
Contact: James Mitchell/Linda Pardi,
Phone: (609) 795-1991.

(b) Approved Courses:

Abatement Worker (Certified 4/25/85).
Abatement Worker Annual Review
(Certified 3/15/90).

Contractor/Supervisor (Certified 4/25/85).

Contractor/Supervisor Annual Review
(Certified 3/15/90).

(iii)(a) Training Provider: Asbestos
Abatement Council, AWCI.

Address: 1600 Cameron St., Alexandria,
VA 22314-2705, Contact: Carol
Pacquin, Phone: (703) 684-2924.

(b) Approved Courses:

Abatement Worker (Certified 6/17/87 to
9/28/89 only).

Contractor/Supervisor (Certified 6/17/87 to 9/28/89 only).

(iv)(a) Training Provider: Asbestos
Training Academy, Inc. - NJ.

Address: 218 Cooper Center,
Pennsauken, NJ 08109, Contact: Steve
Sieracki/Elaine Alonzo, Phone: (609)
488-9200.

(b) Approved Courses:

Abatement Worker (Certified 5/1/85).
Contractor/Supervisor (Certified 5/1/85).

(v)(a) Training Provider: Asbestos
Training Academy, Inc. - NY.

Address: 315 West 36th St., 9th Fl., New
York, NY 10018, Contact: Richard
Green/Charlotte Hicks, Phone: (212)
971-0370.

(b) Approved Courses:

Abatement Worker (Certified 9/20/88).
Contractor/Supervisor (Certified 9/20/88).

(vi)(a) Training Provider: Asbestos
Training Institute LVI, Inc.

Address: 64 South State St., South
Hackensack, NJ 07606, Contact: Roger
Bason, Phone: (201) 343-5133.

(b) Approved Courses:

Abatement Worker (Approval
Suspended 4/30/90).

Contractor/Supervisor (Approval
Suspended 4/30/90).

(vii)(a) Training Provider: BCN
Eqstern, Inc.

Address: One Plymouth Meeting Mall,
Plymouth Meeting, PA 19462, Contact:
R. Ferguson or C. Sterchak, Phone:
(215) 825-3800.

(b) Approved Courses:

Abatement Worker (Certified 6/7/87 to
12/13/89 only).

Contractor/Supervisor (Certified 6/7/87 to 12/13/89 only).

(viii)(a) Training Provider: Building
Laborers of N.J. - Training Center.

Address: P.O. Box 163, Jamesburg, NJ
08831, Contact: Emmanuel Riggi/Pat
Collura, Phone: (201) 521-0200.

(b) Approved Courses:

Abatement Worker (Certified 7/19/85).
Abatement Worker Annual Review
(Certified 12/5/89).

Contractor/Supervisor (Certified 7/19/85).

Contractor/Supervisor Annual Review
(Certified 12/5/89).

(ix)(a) Training Provider: Drexel
University, Office of Continuing
Education.

Address: 32nd & Chestnut Sts.,
Philadelphia, PA 19104, Contact:
Robert T. Ross, Phone: (215) 895-2156.

(b) Approved Courses:

Abatement Worker (Certified 4/13/88).
Contractor/Supervisor (Certified 4/13/88).

Contractor/Supervisor (Certified 4/13/88).

Contractor/Supervisor (Certified 4/13/88).

(x)(a) Training Provider: E.I. DuPont
DeNemours & Co.

Address: Chamber Works, Deepwater,
NJ 08023, Contact: Charles Battle/
Jayne Layne, Phone: (609) 540-2434.

(b) Approved Courses:

Abatement Worker (Certified 5/1/86).
Abatement Worker Annual Review
(Certified 6/12/89).

Contractor/Supervisor (Certified 5/1/86).

Contractor/Supervisor Annual Review
(Certified 6/12/89).

(xi)(a) Training Provider: Hazard
Management Division of Curtin
Management Consultants, Inc.

Address: 47 Midland Ave., Elmwood Park, NJ 07407, Contact: Daniel Curtin/Denise Timmerman, Phone: (201) 796-9589.

(b) *Approved Courses:*

Abatement Worker (Certified 6/3/87).
Contractor/Supervisor (Certified 6/3/87).

(xii)(a) *Training Provider:* IT Corporation.

Address: 17461 Derian Ave., Suite 190, Irvine, CA 92714, Contact: Keith Soesbe, Phone: (714) 261-6441.

(b) *Approved Courses:*

Abatement Worker (Certified 8/29/85).
Contractor/Supervisor (Certified 8/29/85).

(xiii)(a) *Training Provider:* Kaselaan & D'Angelo Associates - NJ.

Address: 515 Grove St., Haddon Heights, NJ 08035, Contact: Marianne Rogers, Phone: (609) 547-6500.

(b) *Approved Courses:*

Abatement Worker (Certified 5/8/85).
Abatement Worker Annual Review (Certified 12/5/89).

Contractor/Supervisor (Certified 5/8/85).

Contractor/Supervisor Annual Review (Certified 12/5/89).

(xiv)(a) *Training Provider:* Kaselaan & D'Angelo Associates - NY.

Address: 220 5th Ave, 17th Floor, New York, NY 10001, Contact: L. Fredericks/M. Cox-Abdalla, Phone: (212) 216-6340.

(b) *Approved Courses:*

Abatement Worker (Certified 8/28/89).
Contractor/Supervisor (Certified 8/28/89).

(xv)(a) *Training Provider:* Local Union No. 14.

Address: 6513 Bustleton Ave., Philadelphia, PA 19149, Contact: James Aikens/Lewis Fitzgerald, Phone: (215) 533-0395.

(b) *Approved Courses:*

Abatement Worker (Certified 8/9/85).
Abatement Worker Annual Review (Certified 11/1/89).

Contractor/Supervisor (Certified 8/9/85).

Contractor/Supervisor Annual Review (Certified 11/1/89).

(xvi)(a) *Training Provider:* Local Union No. 32.

Address: 870 Broadway, Newark, NJ 07104, Contact: Paul Ielmini/John Dwyer, Phone: (201) 485-3626.

(b) *Approved Courses:*

Abatement Worker (Certified 5/8/87).
Abatement Worker Annual Review (Certified 8/14/89).

Contractor/Supervisor (Certified 5/8/87).

Contractor/Supervisor Annual Review (Certified 8/14/89).

(xvii)(a) *Training Provider:* Local Union No. 42.

Address: 1188 River Rd., New Castle, DE 19720, Contact: Joseph Noble, Phone: (302) 328-4203.

(b) *Approved Courses:*

Abatement Worker (Certified 10/30/85).
Contractor/Supervisor (Certified 10/30/85).

(xviii)(a) *Training Provider:* Local Union No. 89.

Address: 2733 Nottingham Way, Trenton, NJ 08619, Contact: Charles DaBronzo/John DaBronzo, Phone: (609) 587-0092.

(b) *Approved Courses:*

Abatement Worker (Certified 5/13/86).
Abatement Worker Annual Review (Certified 11/27/89).

Contractor/Supervisor (Certified 5/13/86).

Contractor/Supervisor Annual Review (Certified 11/27/89).

(xix)(a) *Training Provider:* Mid-Atlantic Asbestos Training Center UMDNJ.

Address: 675 Hoes Ln., Piscataway, NJ 08854, Contact: Lee Laustsen/Doris Daneluk, Phone: (201) 463-4500.

(b) *Approved Courses:*

Abatement Worker (Certified 7/1/86).
Abatement Worker Annual Review (Certified 1/17/90).

Contractor/Supervisor (Certified 7/1/86).

Contractor/Supervisor Annual Review (Certified 1/17/90).

(xx)(a) *Training Provider:* NDI Training Institute.

Address: 7112 Airport Highway, Pennsauken, NJ 08109, Contact: J. Rodney Walton/John O'Brien, Phone: (609) 663-5042.

(b) *Approved Courses:*

Abatement Worker (Certified 9/13/86).
Contractor/Supervisor (Certified 9/13/86).

(xxi)(a) *Training Provider:* National Asbestos Council Training Dept.

Address: 1777 Northeast Expressway, Suite 150, Atlanta, GA 30329, Contact: T. Laubenthal/V. Cornwell, Phone: (404) 633-2622.

(b) *Approved Courses:*

Abatement Worker (Certified 1/13/87).
Contractor/Supervisor (Certified 1/13/87).

(xxii)(a) *Training Provider:* National Asbestos Training Institute.

Address: 1776 Bloomsbury Ave., Ocean, NJ 07712, Contact: Doris Adler/Lisa Criscuolo, Phone: (201) 918-0610.

(b) *Approved Courses:*

Abatement Worker (Certified 5/3/85).
Abatement Worker Annual Review (Certified 8/14/89).

Contractor/Supervisor (Certified 5/3/85).

Contractor/Supervisor Annual Review (Certified 8/14/89).

(xxiii)(a) *Training Provider:* National Institute on Abatement Sciences and Technology.

Address: 114 West State St., P.O. Box 1780, Trenton, NJ 08607, Contact: Glenn Phillips, Phone: (800) 422-2836.

(b) *Approved Courses:*

Abatement Worker (Certified 1/18/88 to 10/24/89 only).

Contractor/Supervisor (Certified 1/16/88 to 10/24/89 only).

(xxiv)(a) *Training Provider:* National Training Fund/Workers Institute for Safety & Health (WISH).

Address: 1126 16th St., NW., Washington, DC 20036, Contact: Scott Schneider/Matthew Gillen, Phone: (202) 887-1980.

(b) *Approved Courses:*

Abatement Worker (Certified 3/31/89).
Contractor/Supervisor (Certified 3/31/89).

(xxv)(a) *Training Provider:* Northeastern Analytical Corporation.

Address: 4 Stow Rd., Marlton, NJ 08053, Contact: R. Holwitt/M. Dutkiewicz, Phone: (609) 985-8000.

(b) *Approved Courses:*

Abatement Worker (Certified 5/20/85).
Abatement Worker Annual Review (Certified 6/30/89).

Contractor/Supervisor (Certified 5/20/85).

Contractor/Supervisor Annual Review (Certified 6/30/89).

(xxvi)(a) *Training Provider:* Princeton Testing Laboratory.

Address: 3490 U.S. Rte. 1, Princeton, NJ 08540-3108, Contact: Charles Schneekloth, Phone: (609) 452-9050.

(b) *Approved Courses:*

Abatement Worker (Certified 5/8/85).
Abatement Worker Annual Review (Certified 6/14/89).

Contractor/Supervisor (Certified 5/8/85).

Contractor/Supervisor Annual Review (Certified 6/14/89).

(xxvii)(a) *Training Provider:* Temple University.

Address: 12th & Norris St., Philadelphia, PA 19122, Contact: Melvin Benarde/Lester Levin, Phone: (215) 787-6394.

(b) *Approved Courses:*

Abatement Worker (Certified 11/24/87).

Contractor/Supervisor (Certified 11/24/87).

(xxviii)(a) *Training Provider*: White Lung Association of NJ.

Address: 901 Broad St., 2nd Floor, Newark, NJ 07102, Contact: A. Legoretta/C. Anderson, Phone: (201) 824-2623.

(b) *Approved Courses*:

Abatement Worker (Certified 5/21/85).
Contractor/Supervisor (Certified 5/21/85).

(xxix)(a) *Training Provider*: White Lung Association - NY.

Address: 12 Warren St., 4th Floor, New York, NY 10007, Contact: Nelson Helu/Barbara Zeluck, Phone: (212) 619-2270.

(b) *Approved Courses*:

Abatement Worker (Certified 9/21/88 to 12/21/89 only).

Contractor/Supervisor (Certified 9/28/88 to 12/21/89 only).

North Dakota

(14)(a) *State Agency*: State Dept. of Health & Consolidated Laboratories, Address: 1200 Missouri Ave., Box 5520, Bismark, ND 58505, Contact: Ken Wangler, Phone: (701) 224-2348.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 4/21/89).
Contractor/Supervisor (full from 4/21/89).

Inspector (full from 4/21/89).

Inspector/Management Planner (full from 4/21/89).

Project Designer (full from 4/21/89).

North Dakota State Department of Health and Consolidated Laboratories, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider*: Midwest Asbestos Consultants, Inc.

Address: Box 1708, Fargo, ND 58107, Contact: Jerry Day, Phone: (701) 280-2286.

(b) *Approved Courses*:

Abatement Worker (Certified 6/30/89).
Abatement Worker Annual Review (Certified 7/31/89).

(ii)(a) *Training Provider*: Survey Management and Design.

Address: R.R. 2 Box 85-B, Fargo, ND 58102, Contact: Dave Sohm, Phone: (701) 234-9556.

(b) *Approved Courses*:

Abatement Worker (Certified 6/13/89).
Abatement Worker Annual Review (Certified 1/5/90).

Contractor/Supervisor (Certified 6/13/89).

Contractor/Supervisor Annual Review (Certified 8/10/89).

Inspector/Management Planner (Certified 9/14/89).

Inspector/Management Planner Annual Review (Certified 3/28/90).

(iii)(a) *Training Provider*: University of North Dakota.

Address: University Station, Grand Forks, ND 58201, Contact: Dale Patrick, Phone: (701) 777-3341.

(b) *Approved Courses*:

Abatement Worker (Certified 6/13/89).
Abatement Worker Annual Review (Certified 3/28/90).

Contractor/Supervisor (Certified 6/13/89).

Contractor/Supervisor Annual Review (Certified 3/28/90).

Oregon

(15)(a) *State Agency*: State of Oregon Dept. of Environmental Quality.

Address: 811 Southwest Sixth Ave., Portland, OR 97204-1390, Contact: Bruce E. Arnold, Phone: (503) 229-5506.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 9/23/88).
Contractor/Supervisor (full from 9/23/88).

Oregon Department of Environmental Quality, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider*: Asbestos Training Project Workplace Resources.

Address: P.O. Box 11053, Eugene, OR 97440, Contact: Wendy Wiles, Phone: (503) 345-7393.

(b) *Approved Courses*:

Abatement Worker (Certified 9/23/88).
Contractor/Supervisor (Certified 9/23/89).

(ii)(a) *Training Provider*: Hall-Kimbrell Environmental Services.

Address: 5319 Southwest Westgate, Suite 239, Portland, OR 97221, Contact: Kelly Champion, Phone: (503) 292-9406.

(b) *Approved Courses*:

Abatement Worker (Certified 12/28/88).
Contractor/Supervisor (Certified 9/7/89).

(iii)(a) *Training Provider*: Hazcon, Inc.

Address: 9500 Southwest Barbur, Portland, OR 97219, Contact: Randi Olson, Phone: (503) 244-8045.

(b) *Approved Courses*:

Abatement Worker (Certified 9/23/88).
Contractor/Supervisor (Certified 9/23/88).

(iv)(a) *Training Provider*: Laborers/ACG Apprenticeship & Training Program.

Address: Route 5, Box 325A, Corvallis, OR 97330, Contact: Bill Duke, Phone: (503) 745-5513.

(b) *Approved Courses*:

Abatement Worker (Certified 9/23/88).
Contractor/Supervisor (Certified 9/23/88).

(v)(a) *Training Provider*: Marine & Environmental Testing, Inc.

Address: P.O. Box 1142, Beaverton, OR 97075, Contact: Martin Finkel, Phone: (503) 286-2950.

(b) *Approved Course*:

Abatement Worker (Certified 12/3/88 to 9/18/89 only).

(vi)(a) *Training Provider*: NAC Corporation.

Address: 1005 Northwest Galveston, Suite E, Bend, OR 97701, Contact: Dale Schmidt, Phone: (503) 389-9727.

(b) *Approved Courses*:

Abatement Worker (Certified 3/23/89).
Contractor/Supervisor (Certified 4/1/90).

(vii)(a) *Training Provider*: Northwest Envirocon, Inc.

Address: P.O. Box 169, Washougal, WA 98671, Contact: Jack Tenhonen, Phone: (206) 835-8576.

(b) *Approved Courses*:

Abatement Worker (Certified 12/14/88).
Contractor/Supervisor (Certified 12/14/88).

Rhode Island

(16)(a) *State Agency*: State of Rhode Island & Providence Plantations, Department of Health, Address: 206 Cannon Bldg., Three Capitol Hill, Providence, RI 02908, Contact: William Dundulis, Jr., Phone: (401) 277-3601.

(b) *Approved Accreditation Program Disciplines*:

Abatement Worker (full from 2/4/86).
Contractor/Supervisor (full from 2/4/86).

Inspector/Management Planner (full from 8/3/89).

Project Designer (full from 8/3/89).

Rhode Island Department of Health, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider*: A & S Training School, Inc.

Address: 99 South Cameron St., Harrisburg, PA 17101, Contact: William I. Roberts, Phone: (717) 257-1360.

(b) *Approved Course*:

Contractor/Supervisor (Certified 3/31/89).

(ii)(a) *Training Provider*: Analytical Testing Services, Inc.

Address: 180 Weeden St., Pawtucket, RI 02860, Contact: Robert Weisberg, Phone: (401) 723-7978.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 12/10/86).

Contractor/Supervisor Annual Review (Certified 12/10/86).

Initial Supervisor 6-Hour Supplement (Certified 1/24/89).

(iii)(a) *Training Provider:* Asbestos Consulting & Training Systems.

Address: 903 NW 6th Avenue, Fort Lauderdale, FL 33311, Contact: James F. Stump, Phone: (305) 524-7208.

(b) *Approved Course:*

Abatement Worker (Certified 11/21/89).

(iv)(a) *Training Provider:* Center for Environmental Management-Tufts University.

Address: 474 Boston Ave., Medford, MA 02155, Contact: Brenda Cole, Phone: (617) 381-3531.

(b) *Approved Courses:*

Abatement Worker (Certified 7/1/86).

Abatement Worker Annual Review (Certified 3/31/89).

Contractor/Supervisor (Certified 7/1/86).

Contractor/Supervisor Annual Review (Certified 3/31/89).

(v)(a) *Training Provider:* Certified Engineering & Testing Co., Inc.

Address: 100 Grossman Dr., Braintree, MA 02184, Contact: Robert Thornburgh, Phone: (617) 849-0111.

(b) *Approved Courses:*

Abatement Worker (Certified 8/22/89).

Abatement Worker Annual Review (Certified 8/22/89).

Contractor/Supervisor (Certified 8/22/89).

Contractor/Supervisor Annual Review (Certified 8/22/89).

(vi)(a) *Training Provider:* Community College of Rhode Island.

Address: 1762 Louisquisset Pk., Lincoln, RI 02865, Contact: Richard Tessier, Phone: (401) 333-7166.

(b) *Approved Courses:*

Abatement Worker (Certified 11/13/87).

Abatement Worker Annual Review (Certified 3/31/89).

Contractor/Supervisor (Certified 3/31/89).

Contractor/Supervisor Annual Review (Certified 3/31/89).

Initial Supervisor 6-Hour Supplement (Certified 1/1/90).

(vii)(a) *Training Provider:* Con-Test Educational Center.

Address: 39 Spruce St., East Longmeadow, MA 01028, Contact: Brenda Bolduc, Phone: (413) 525-1198.

(b) *Approved Courses:*

Abatement Worker (Certified 3/1/86).

Abatement Worker Annual Review (Certified 2/8/89).

Contractor/Supervisor (Certified 3/1/86).

Contractor/Supervisor Annual Review (Certified 2/8/89).

(viii)(a) *Training Provider:* Dennison Environmental, Inc.

Address: 74 Commerce Way, Woburn, MA 01801, Contact: Joan Lion, Phone: (617) 932-9400.

(b) *Approved Courses:*

Abatement Worker (Certified 4/30/89).

Abatement Worker Annual Review (Certified 4/30/89).

Contractor/Supervisor (Certified 4/30/89).

Contractor/Supervisor Annual Review (Certified 4/30/89).

Initial Supervisor 6-Hour Supplement (Certification Pending).

(ix)(a) *Training Provider:* Environmed Services, Inc.

Address: 25 Science Park, New Haven, CT 06511, Contact: George Giacco, Jr., Phone: (203) 786-5580.

(b) *Approved Courses:*

Abatement Worker (Certified 9/28/89).

Contractor/Supervisor (Certified 9/28/89).

(x)(a) *Training Provider:*

Environmental Training Services.

Address: 62 - H Montvale Pl., Stoneham, MA 02180, Contact: Maryann Martin, Phone: (617) 279-0855.

(b) *Approved Courses:*

Abatement Worker (Certified 1/23/90).

Abatement Worker Annual Review (Certified 1/23/90).

Contractor/Supervisor (Certified 1/23/90).

Contractor/Supervisor Annual Review (Certified 1/23/90).

Initial Supervisor 6-Hour Supplement (Certified 1/23/90).

(xi)(a) *Training Provider:* Georgia Institute of Technology/GTRI.

Address: 151 6th St., Atlanta, GA 30332, Contact: Mark Demyanek, Phone: (404) 894-3806.

(b) *Approved Courses:*

Abatement Worker (Certified 7/22/88).

Abatement Worker Annual Review (Certified 2/14/89).

Contractor/Supervisor (Certified 7/22/88).

Contractor/Supervisor Annual Review (Certified 2/14/89).

(xii)(a) *Training Provider:* Harvard School of Public Health.

Address: 677 Huntington Ave., Boston, MA 02115, Contact: Louis DiBerardinis, Phone: (617) 732-1171.

(b) *Approved Courses:*

Abatement Worker (Certification Pending).

Contractor/Supervisor (Certification Pending).

(xiii)(a) *Training Provider:* Heat & Frost Insulation Union Local No. 6.

Address: 56 Roland St., Boston, MA 02129, Contact: Anthony Pistorino, Phone: (617) 625-6666.

(b) *Approved Courses:*

Abatement Worker (Certified 3/2/89).

Contractor/Supervisor (Certified 3/2/89).

(xiv)(a) *Training Provider:* Hygeia, Inc.

Address: 303 Bear Hill Rd., Waltham, MA 02154, Contact: Cynthia Whalen, Phone: (617) 890-4999.

(b) *Approved Courses:*

Abatement Worker (Certified 1/31/89).

Abatement Worker Annual Review (Certified 3/6/90).

Contractor/Supervisor (Certified 12/7/89).

Contractor/Supervisor Annual Review (Certified 3/6/90).

Initial Supervisor 6-Hour Supplement (Certified 11/21/89).

(xv)(a) *Training Provider:* Hygienetics, Inc.

Address: 150 Causeway St., Boston, MA 02114, Contact: Russell Matthews, Phone: (617) 723-4664.

(b) *Approved Courses:*

Abatement Worker (Certified 5/10/89).

Abatement Worker Annual Review (Certified 5/10/89).

Contractor/Supervisor (Certified 5/10/89).

Contractor/Supervisor Annual Review (Certified 5/10/89).

(xvi)(a) *Training Provider:* Institute for Environmental Education.

Address: 208 West Cummings Pk., Woburn, MA 01801, Contact: Lisa Stammer, Phone: (617) 935-7370.

(b) *Approved Courses:*

Abatement Worker (Certified 9/9/87).

Abatement Worker Annual Review (Certified 5/8/89).

Contractor/Supervisor (Certified 9/9/87).

Contractor/Supervisor Annual Review (Certified 5/8/89).

(xvii)(a) *Training Provider:* Mystic Air Quality Consultants.

Address: 1085 Buddington Rd., Groton, CT 06340, Contact: Christopher Eident, Phone: (203) 449-8903.

(b) *Approved Courses:*

Abatement Worker Annual Review (Certified 1/29/90).

Contractor/Supervisor (Certified 1/31/89).

Contractor/Supervisor Annual Review
(Certified 1/29/90).

(xviii)(a) *Training Provider*: NAACO.
Address: 790 Turnpike St., North
Andover, MA 01845, Contact: Martin
Levitt, Phone: (508) 681-8711.

(b) *Approved Courses*:
Abatement Worker (Certified 4/28/88).
Abatement Worker Annual Review
(Certified 4/3/89).
Contractor/Supervisor Annual Review
(Certified 4/3/89).
Initial Supervisor 6-Hour Supplement
(Certified 4/3/89).

(xix)(a) *Training Provider*: National
Asbestos Council (NAC), Training Dept.
Address: 1777 Northeast Expressway,
Suite 150, Atlanta, GA 30329, Contact:
Tom Laubenthal, Phone: (404) 633-
2622.

(b) *Approved Course*:
Abatement Worker (Certified 9/5/86).

(xx)(a) *Training Provider*: National
Training Fund/Workers Institute for
Safety & Health (WISH).

Address: 1126 16th St., NW.,
Washington, DC 20036, Contact:
Mathew Gillen, Phone: (202) 887-1980.

(b) *Approved Courses*:
Abatement Worker (Certified 1/31/89).
Abatement Worker Annual Review
(Certified 1/31/89).
Contractor/Supervisor (Certified 1/31/
89).

Contractor/Supervisor Annual Review
(Certified 1/31/89).

(xxi)(a) *Training Provider*: New
England Laborers Training Trust Fund.
Address: 37 East St., Hopkinton, MA
01748, Contact: James Merloni, Phone:
(508) 435-6316.

(b) *Approved Courses*:
Abatement Worker (Certified 7/1/86).
Abatement Worker Annual Review
(Certified 2/15/89).
Contractor/Supervisor Annual Review
(Certified 2/15/89).
Initial Supervisor 6-Hour Supplement
(Certified 2/15/86).

(xxii)(a) *Training Provider*: Quality
Control Services, Inc.

Address: 10 Lowell Junction Rd.,
Andover, MA 01810, Contact: Ajay
Pathak, Phone: (508) 475-0623.

(b) *Approved Courses*:
Abatement Worker (Certified 4/27/88).
Abatement Worker Annual Review
(Certified 3/10/89).
Contractor/Supervisor (Certified 4/27/
88).

Contractor/Supervisor Annual Review
(Certified 3/10/89).

(xxiii)(a) *Training Provider*: Safe
Environment Corp.

Address: 100 Moody St., Suite 200,
Ludlow, MA 01056, Contact: Anne
Folta, Phone: (413) 289-1409.

(b) *Approved Courses*:
Abatement Worker (Certified 1/31/89).
Abatement Worker Annual Review
(Certification Pending).
Contractor/Supervisor (Certified 1/31/
89).
Contractor/Supervisor Annual Review
(Certification Pending).

South Dakota

(17)(a) *State Agency*: Dept. of Water &
Natural Resources Division of Air
Quality & Solid Waste, Address: Joe
Foss Building, 523 East Capitol St.,
Pierre, SD 57501, Contact: Tammy
LeBeau, Phone: (605) 773-3153.

(b) *Approved Accreditation Program
Disciplines*:

Abatement Worker (full from 9/15/88).
Contractor/Supervisor (full from 9/15/
88).

Inspector/Management Planner (full
from 9/15/88).

Project Designer (full from 9/15/88).

*South Dakota Department of Water and
Natural Resources, EPA-Approved,
Courses for Abatement Workers,
Contractors/Supervisors, Inspectors/
Management Planners, and Project
Designers*

(i)(a) *Training Provider*: ATC
Environmental.

Address: 1515 East 10th St., Sioux Falls,
SD 57701, Contact: Jim Stout, Phone:
(605) 338-0555.

(b) *Approved Courses*:
Abatement Worker (Certified 2/6/90).
Contractor/Supervisor (Certified 2/6/
90).

Inspector/Management Planner
(Certified 2/6/90).

(ii)(a) *Training Provider*: Black Hills
Special Services Cooperative.

Address: Box 218, Sturgis, SD 57784,
Contact: Jim Doolittle, Phone: (605)
347-4467.

(b) *Approved Courses*:
Abatement Worker (Certified 3/22/89).
Contractor/Supervisor (Certified 3/22/
89).

Inspector/Management Planner
(Certified 3/22/89).

(iii)(a) *Training Provider*: Enviro-safe
Inc.

Address: P.O. Box 328, Wakonda, SD
57073, Contact: John Mathrol, Phone:
(605) 267-2539.

(b) *Approved Courses*:
Abatement Worker (Certified 2/28/89).
Contractor/Supervisor (Certified 2/28/
89).

Inspector/Management Planner
(Certified 2/28/89).

(iv)(a) *Training Provider*: Fargo -
Moorhead Carpenters Joint
Apprenticeship & Training Committee.

Address: 3002 1st Ave., N., Fargo, ND
58102, Contact: Raymond Such, Phone:
(701) 235-4981.

(b) *Approved Courses*:
Abatement Worker (Certified 4/20/89).
Contractor/Supervisor (Certified 4/20/
89).

(v)(a) *Training Provider*: Fox & Fox,
Inc.

Address: 1904 Willow Creek Rd.,
Casper, WY 82604, Contact: David
Fox, Phone: (307) 234-0084.

(b) *Approved Courses*:
Abatement Worker (Certified 1/29/90).
Contractor/Supervisor (Certified 1/29/
90).

(vi)(a) *Training Provider*: Iowa
Laborers Training Fund.

Address: 5806 Meredith Ave., Suite C,
Des Moines, IA 50322, Contact: Jack
Jones, Phone: (515) 270-6965.

(b) *Approved Course*:
Abatement Worker (Certified 3/22/88).
(vii)(a) *Training Provider*: Pickering
Environmental.

Address: 1750 Madison Ave., Memphis,
TN 38104, Contact: David Wright,
Phone: (901) 726-0810.

(b) *Approved Course*:
Inspector/Management Planner
(Certified 2/8/89).

(viii)(a) *Training Provider*: South
Dakota State University, College of
Engineering.

Address: P.O. Box 2218, Brookings, SD
57007-0597, Contact: James Ceglian,
Phone: (605) 688-4107.

(b) *Approved Courses*:
Abatement Worker (Certified 5/18/88).
Contractor/Supervisor (Certified 5/18/
88).

Inspector/Management Planner
(Certified 5/18/88).

Utah

(18)(a) *State Agency*: Utah Dept. of
Health Bureau of Air Quality, Address:
288 North 1480 West, P.O. Box 16690,
Salt Lake City, UT 84116-0690, Contact:
F. Burnell Cordner, Phone: (801) 538-
6108.

(b) *Approved Accreditation Program
Disciplines*:

Abatement Worker (full from 7/8/89).
Contractor/Supervisor (full from 7/8/
89).

Inspector/Management Planner (full
from 7/8/89).

Project Designer (full from 7/8/89).

Utah Bureau of Air Quality, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider:* R.S. Christiansen Asbestos Consultants, Inc. Address: 4980 Holladay Blvd., Salt Lake City, UT 84117, Contact: Stanley Christiansen, Phone: (801) 277-2323.

(b) *Approved Course:*

Abatement Worker Annual Review (Certified 7/28/89).

(ii)(a) *Training Provider:* Utah Carpenters Joint Apprenticeship & Training Committee.

Address: 2261 S. Redwood Rd., Suite J, Salt Lake City, UT 84119, Contact: Ken Mayne, Phone: (801) 972-5147.

(b) *Approved Courses:*

Abatement Worker (Certified 10/16/89). Contractor/Supervisor (Certified 10/16/89).

(iii)(a) *Training Provider:* Utah Correctional Industries.

Address: P.O. Box 850, Draper, UT 84020-850, Contact: Vic Middleton, Phone: (801) 571-9264.

(b) *Approved Course:*

Contractor/Supervisor (Certified 9/25/89).

Virginia

(19)(a) *State Agency:* Commonwealth of Virginia Dept. of Commerce, Address: 3600 West Broad St., Richmond, VA 23230-4917, Contact: Peggy J. Wood, Phone: (804) 367-8595.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 7/1/88). Contractor/Supervisor (full from 7/1/88).

Inspector/Management Planner (full from 7/1/88).

Project Designer (full from 7/1/88).

Virginia Department of Commerce, EPA-Approved Courses for Abatement Workers, Contractors/Supervisors, Inspectors/Management Planners, and Project Designers

(i)(a) *Training Provider:* Aerosol Monitoring & Analysis.

Address: The Commons Corporate Center, 1341 Ashton Rd., Suite A, Hanover, MD 21076, Contact: Steve Blizzard, Phone: (800) 221-1745.

(b) *Approved Course:*

Contractor/Supervisor (Certified 10/31/89).

(ii)(a) *Training Provider:* Alice Hamilton Occupational Health Center.

Address: 410 7th St., SE., 2nd Floor, Washington, DC 20003, Contact: Brian Christopher, Phone: (202) 543-0005.

(b) *Approved Courses:*

Abatement Worker (Certified 3/2/88). Contractor/Supervisor (Certified 3/2/88).

Inspector/Management Planner (Certified 3/2/88).

(iii)(a) *Training Provider:* Asbestos Analytical Association.

Address: 3208-B George Washington Hwy., Portsmouth, VA 23704, Contact: Carol Holden, Phone: (804) 397-0695.

(b) *Approved Courses:*

Abatement Worker (Certified 7/27/88). Contractor/Supervisor (Certified 7/27/88).

Inspector/Management Planner (Certified 7/27/88).

(iv)(a) *Training Provider:* Asbestos Consulting & Training Systems.

Address: 903 Northwest Sixth Ave., Ft. Lauderdale, FL 33311, Contact: Mark Knick, Phone: (305) 524-7208.

(b) *Approved Courses:*

Abatement Worker (Certified 10/6/89). Contractor/Supervisor (Certified 10/6/89).

(v)(a) *Training Provider:* Biospherics, Inc.

Address: 12051 Indian Creek Ct., Beltsville, MD 20705, Contact: Jean Fisher, Phone: (301) 369-3900.

(b) *Approved Courses:*

Abatement Worker (Certified 9/13/88). Contractor/Supervisor (Certified 9/13/88).

Inspector/Management Planner (Certified 9/13/88).

(vi)(a) *Training Provider:* Briggs Assoc. Inc.

Address: 8325 Guilford Rd., Suite E, Columbia, MD 21046, Contact: J. Roos Voorhees, Phone: (301) 381-4434.

(b) *Approved Course:*

Abatement Worker (Certification Pending).

(vii)(a) *Training Provider:* Critical Environmental.

Address: 5815 Gulf Freeway, Houston, TX 77023, Contact: Ronald F. Dodson, Phone: (713) 921-8921.

(b) *Approved Courses:*

Abatement Worker (Certification Pending).

Contractor/Supervisor (Certification Pending).

Inspector/Management Planner (Certification Pending).

(viii)(a) *Training Provider:* E.I. DuPont DeNemours & Co., Inc.

Address: Spruance Plant, P.O. Box 27001, Richmond, VA 23261, Contact: Clarence Mihal, Phone: (804) 743-2948.

(b) *Approved Courses:*

Abatement Worker (Certified 5/11/88). Contractor/Supervisor (Certified 5/11/88).

(ix)(a) *Training Provider:*

Environmental Specialties, Inc.

Address: P.O. Box 130, Hopewell, VA 23860, Contact: Lewis Stevenson, Phone: (804) 458-1541.

(b) *Approved Courses:*

Abatement Worker (Certified 5/1/89). Contractor/Supervisor (Certified 5/1/89).

(x)(a) *Training Provider:* Fluor Daniel.

Address: The Daniel Bldg., 301 North Main St., Greenville, SC 29601, Contact: Rick Florence, Phone: (803) 298-2166.

(b) *Approved Courses:*

Abatement Worker (Certified 6/24/88). Contractor/Supervisor (Certified 6/24/88).

(xi)(a) *Training Provider:* GST Company.

Address: 1341 Old Freedom Rd., Suite 3B, Mars, PA 16046, Contact: Norma Stanford, Phone: (412) 772-7488.

(b) *Approved Courses:*

Abatement Worker (Certified 6/1/89). Contractor/Supervisor (Certified 6/1/89).

(xii)(a) *Training Provider:* Georgia Tech Research Group.

Address: Georgia Tech Institute of Technology, Atlanta, GA 30332, Contact: Vicki H. Ainslie, Phone: (404) 895-3806.

(b) *Approved Course:*

Contractor/Supervisor (Certified 5/1/89).

(xiii)(a) *Training Provider:* Global Waste System Inc.

Address: Smith Reynolds Airport Hangar 14, Winston Salem, NC 27105, Contact: Carl Reid, Phone: (919) 744-9382.

(b) *Approved Courses:*

Abatement Worker (Certified 3/2/90). Contractor/Supervisor (Certified 3/2/90).

(xiv)(a) *Training Provider:* Hall-Kimbrell Environmental Services.

Address: 4840 West 15th St., P.O. Box 307, Lawrence, KS 66046, Contact: Steve Davis, Phone: (804) 270-7235.

(b) *Approved Courses:*

Abatement Worker (Certified 5/23/88). Contractor/Supervisor (Certified 5/23/88).

(xv)(a) *Training Provider:* Harman Engineering Associates, Inc.

Address: 1550 Pumphrey Ave., Auburn, AL 36830, Contact: Dave Schrimsher, Phone: (205) 821-9250.

(b) *Approved Course:*

Abatement Worker (Certified 9/21/89).
(xvi)(a) *Training Provider:* Hazard Abatement Consultants.

Address: 5 Breechwood Rd., Hampton, VA 23666, Contact: Thomas Priesman, Phone: (804) 825-0302.

(b) *Approved Course:*

Abatement Worker (Certified 8/1/89).
(xvii)(a) *Training Provider:* Ind-Tra-Co., Ltd.

Address: 511 W. Grace St., Richmond, VA 23220, Contact: Ernest Drew, Phone: (804) 648-7836.

(b) *Approved Courses:*

Abatement Worker (Certified 3/7/88).
Contractor/Supervisor (Certified 3/7/88).

Inspector/Management Planner (Certified 3/7/88).

(xviii)(a) *Training Provider:* Industrial Training & Support Services.

Address: P.O. Box 496, Lightfoot, VA 23090, Contact: Virginia Graham, Phone: (804) 565-3308.

(b) *Approved Course:*

Abatement Worker (Certified 10/22/88).
(xix)(a) *Training Provider:* Institute for Environmental Education.

Address: 208 West Cummings Pk., Woburn, MA 01801, Contact: Lisa Stammer, Phone: (617) 935-0664.

(b) *Approved Courses:*

Abatement Worker (Certification Pending).

Contractor/Supervisor (Certification Pending).

Inspector (Certification Pending).

(xx)(a) *Training Provider:* Jenkins Professionals Inc.

Address: 5502 Campbell Blvd., Suite F, Baltimore, MD 21236, Contact: Larry Jenkins, Phone: (301) 529-3553.

(b) *Approved Courses:*

Abatement Worker (Certified 12/27/89).
Contractor/Supervisor (Certified 12/27/89).

(xxi)(a) *Training Provider:* Laborers District Council of Virginia Training Trust Fund.

Address: 4191 Rochambeau Dr., Williamsburg, VA 23185, Contact: Roy Brightwell, Phone: (804) 564-8148.

(b) *Approved Course:*

Abatement Worker (Certified 8/8/88).
(xxii)(a) *Training Provider:* Marcus Environmental.

Address: 6345 Courthouse Rd., P.O. Box 227, Prince George, VA 23875, Contact: Marshall Marcus, Phone: (804) 733-1855.

(b) *Approved Courses:*

Abatement Worker (Certified 2/13/89).
Contractor/Supervisor (Certified 2/13/89).

(xxiii)(a) *Training Provider:* Maryland Center for Environmental Training-Charles County Community College.

Address: Mitchell Rd., P.O. Box 910, LaPlata, MD 20646-0910, Contact: Jake Bair, Phone: (301) 934-2251.

(b) *Approved Courses:*

Abatement Worker (Certified 5/19/89).
Contractor/Supervisor (Certified 5/19/89).

(xxiv)(a) *Training Provider:* Medical College of Virginia, Dept. of Preventive Medicine.

Address: P.O. Box 212, Richmond, VA 23298, Contact: Leonard Vance, Phone: (804) 786-9785.

(b) *Approved Courses:*

Abatement Worker (Certified 12/8/87).
Contractor/Supervisor (Certified 3/8/87).

Inspector/Management Planner (Certified 12/8/87).

Project Designer (Certified 8/25/89).

(xxv)(a) *Training Provider:* Metropolitan Laboratories.

Address: P.O. Box 8921, Norfolk, VA 23503, Contact: Ethel Holmes, Phone: (804) 583-9444.

(b) *Approved Courses:*

Abatement Worker (Certified 8/4/88).
Contractor/Supervisor (Certified 8/4/88).

(xxvi)(a) *Training Provider:* Norfolk Shipbuilding & Dry Dock Co.

Address: P.O. Box 2100, Norfolk, VA 23501, Contact: Thomas Beacham, Phone: (804) 494-2940.

(b) *Approved Course:*

Abatement Worker (Certified 6/15/88).
(xxvii)(a) *Training Provider:* OMC.

Address: 4451 Parliament Place, Lanham, MD 20706, Contact: Ellen J. Kite, Phone: (301) 306-0632.

(b) *Approved Course:*

Contractor/Supervisor (Certified 8/25/89).

(xxviii)(a) *Training Provider:* Old Dominion University.

Address: Office of Health Sciences, Norfolk, VA 23529, Contact: Shirley Glover, Phone: (804) 440-4256.

(b) *Approved Courses:*

Abatement Worker (Certified 6/8/88).
Contractor/Supervisor (Certified 6/8/88).

Inspector/Management Planner (Certified 6/8/88).

(xxix)(a) *Training Provider:* Quality Specialties, Inc.

Address: 109 15th Ave., Hopewell, VA 23860, Contact: Mike Rhodes, Phone: (804) 748-9606.

(b) *Approved Course:*

Abatement Worker (Certified 5/3/88).
(xxx)(a) *Training Provider:* Retra Services.

Address: 1730 S. Alt. 19, Suite H, Tarpon Springs, FL 34689, Contact: David Sarvadi, Phone: (703) 791-5404.

(b) *Approved Course:*

Abatement Worker (Certified 8/18/89).
(xxxi)(a) *Training Provider:* Roy F. Weston, Inc.

Address: 1635 Pumphrey Ave., Auburn, AL 36830, Contact: Michael Skotnick, Phone: (205) 826-6100.

(b) *Approved Course:*

Inspector/Management Planner (Certified 12/27/89).

(xxxii)(a) *Training Provider:* S.G. Brown, Inc.

Address: 2701 Sonic Dr., Virginia Beach, VA 23334, Contact: George Torrence, Phone: (804) 468-0027.

(b) *Approved Course:*

Abatement Worker (Certified 6/10/88).

(xxxiii)(a) *Training Provider:* State Council of Carpenters of Virginia.

Address: 3801 Jefferson Davis Hwy., Richmond, VA 23234, Contact: Frank Hollis, Phone: (804) 275-0701.

(b) *Approved Courses:*

Abatement Worker (Certified 8/31/89).
Contractor/Supervisor (Certified 8/31/89).

(xxxiv)(a) *Training Provider:* The Francis L. Greenfield Institute.

Address: Route 6344, P.O. Box 217, Sterling, VA 22170, Contact: Benjamin Bostic, Phone: (703) 450-5950.

(b) *Approved Course:*

Abatement Worker (Certified 10/10/88).

(xxxv)(a) *Training Provider:* Tidewater Community College.

Address: VA Beach Campus, 1700 College Crescent, Virginia Beach, VA 23456, Contact: Sam Lamb, Phone: (804) 427-7198.

(b) *Approved Course:*

Abatement Worker (Certified 3/21/89).

(xxxvi)(a) *Training Provider:* University of Virginia National Asbestos Council Division of Continuing Education.

Address: 106 Midmont Lake, Charlottesville, VA 22903, Contact: Gregory Pels, Phone: (804) 924-7114.

(b) *Approved Course:*

Abatement Worker (Certified 3/7/88).

(xxxvii)(a) *Training Provider:* Waco, Inc.

Address: Highway 925, N., Waldorf, MD 20601, Contact: Wayne Cooper, Phone: (301) 843-2488.

(b) Approved Courses:

Abatement Worker (Certified 10/31/88).
Contractor/Supervisor (Certified 10/31/88).

(xxxviii)(a) *Training Provider:* White Lung Association.

Address: 1601 St. Paul St., Baltimore, MD 21202, Contact: James Fite, Phone: (301) 727-6029.

(b) Approved Course:

Inspector/Management Planner
(Certified 7/11/88).

Washington

(20)(a) *State Agency:* Washington Department of Labor and Industries, Division of Industrial Safety and Health, Address: 300 West Harrison St., Seattle, WA 98119, Contact: James Catalano, Phone: (206) 281-5325.

(b) Approved Accreditation Program Disciplines:

Abatement Worker (full from 11/10/89).
Contractor/Supervisor (full from 11/10/89).

Washington Department of Labor and Industries Division of Safety and Health, EPA-Approved Courses for Abatement Workers and Contractors/Supervisors

(i)(a) *Training Provider:* Asbestos Training Project/Workplace Resources. Address: P.O. Box 11053, Eugene, OR 97440, Contact: Wendy Wiles, Phone: (503) 345-7393.

(b) Approved Courses:

Abatement Worker (Certified 3/1/88).
Abatement Worker Annual Review (Certified 3/1/88).

(ii)(a) *Training Provider:* Bison Engineering/Research.

Address: 1020 S. 344th No. 204, Federal Way, WA 98003, Contact: Don Hurst, Phone: (206) 838-7261.

(b) Approved Course:

Abatement Worker (Certified 4/12/86).

(iii)(a) *Training Provider:* Chen-Northern, Inc.

Address: 600 South 25th St., P.O. Box 30615, Billings, MT 59107, Contact: Kathleen Smit, Phone: (406) 248-9282.

(b) Approved Course:

Abatement Worker (Certified 12/1/88 to 12/1/89 only).

(iv)(a) *Training Provider:* Enviro-tec, Inc.

Address: 2825 - 152nd Ave. NE., Redmond, WA 98052, Contact: Lawrence Short, Phone: (206) 867-5111.

(b) Approved Course:

Abatement Worker (Certified 5/27/88 to 6/27/89 only).

(v)(a) Training Provider:

Environmental Health Sciences, Inc.
Address: 9 Lake Bellevue Bldg., Suite 104, Bellevue, WA 98005, Contact: Sheila Plumacher, Phone: (206) 455-2959.

(b) Approved Courses:

Abatement Worker (Certified 3/1/88).
Abatement Worker Annual Review (Certified 3/1/88).
Contractor/Supervisor (Certified 3/1/88).

(vi)(a) Training Provider:

Environmental Management, Inc.
Address: P.O. Box 91477, Anchorage, AK 99509, Contact: Kenneth Johnson, Phone: (907) 272-8056.

(b) Approved Course:

Abatement Worker (Certified 1/1/89).

(vii)(a) Training Provider:

Environmental Management, Inc.
Address: P.O. Box 363, Wauna, WA 98395, Contact: Ray Donahue, Phone: (206) 857-3222.

(b) Approved Course:

Abatement Worker (Certified 12/15/89 to 4/2/90 only).

(viii)(a) Training Provider: Hall-Kimbrell Environmental Services, Inc.

Address: 5319 SW. Westgate, No. 239, Portland, OR 97221, Contact: Peter Clark, Phone: (503) 292-9406.

(b) Approved Courses:

Abatement Worker (Certified 6/1/88).
Abatement Worker Annual Review (Certified 6/1/88).

(ix)(a) Training Provider: Hazcon, Inc.

Address: 9500 SW Barbur Blvd., Suite 100, Portland, OR 97219, Contact: Harvey McGill, Phone: (503) 244-8045.

(b) Approved Courses:

Abatement Worker (Certified 3/1/88).
Abatement Worker Annual Review (Certified 3/1/88).
Contractor/Supervisor (Certified 11/1/89).

(x)(a) Training Provider: Hazcon, Inc.

Address: 5950 Sixth Ave. S., No. 200, Seattle, WA 98108, Contact: Mike Krause, Phone: (206) 763-7297.

(b) Approved Courses:

Abatement Worker (Certified 3/1/86).
Abatement Worker Annual Review (Certified 3/1/86).
Contractor/Supervisor (Certified 11/1/89).

(xi)(a) Training Provider: Heavey Engineers, Inc.

Address: P.O. Box 832, Stevenson, WA 98648, Contact: Bernard Heavey, Phone: (509) 427-8936.

(b) Approved Courses:

Abatement Worker (Certified 7/1/88 to 8/1/89 only).

Abatement Worker Annual Review (Certified 7/1/88 to 8/1/89 only).

(xii)(a) *Training Provider:* Long Services.

Address: 8025 10th Ave. S., P.O. Box C 81435, Seattle, WA 98018-4498, Contact: Michael Cole, Phone: (206) 763-8422.

(b) Approved Course:

Abatement Worker (Certified 5/1/87).

(xiii)(a) *Training Provider:* M & M Environmental, Inc.

Address: 3902 N. 34th St., Tacoma, WA 98407, Contact: Mike Reid, Phone: (206) 759-3443.

(b) Approved Courses:

Abatement Worker (Certified 1/1/89 to 2/4/90 only).

Abatement Worker Annual Review (Certified 1/1/89 to 2/4/90 only).

(xiv)(a) *Training Provider:* NW Envirocon, Inc.

Address: 285 SW. 41st., Renton, WA 98055, Contact: Matt Johnson, Phone: (206) 251-6033.

(b) Approved Courses:

Abatement Worker (Certified 1/1/88).

Abatement Worker Annual Review (Certified 1/1/88).

(xv)(a) *Training Provider:* NW Envirocon, Inc.

Address: P.O. Box 169, Washougal, WA 98671, Contact: Jack Tenhonen, Phone: (206) 835-8576.

(b) Approved Courses:

Abatement Worker (Certified 1/1/88).

Abatement Worker Annual Review (Certified 1/1/88).

(xvi)(a) *Training Provider:* NW Laborers - Employers Training Trust Fund.

Address: 27055 Ohio Ave., Kingston, WA 98346, Contact: Harold Avery, Phone: (206) 297-3035.

(b) Approved Courses:

Abatement Worker (Certified 8/1/85).

Abatement Worker Annual Review (Certified 8/1/85).

(xvii)(a) *Training Provider:* NW Washington Painting, Drywall Joint Apprenticeship Committee.

Address: 6770 E. Marginal Way S., Seattle, WA 98108, Contact: Paul Norling, Phone: (206) 762-8332.

(b) Approved Courses:

Abatement Worker (Certified 5/25/88 to 6/30/89 only).

Abatement Worker Annual Review (Certified 5/25/88 to 6/30/89 only).

(xviii)(a) *Training Provider:* Oregon, Southern Idaho, Wyoming, SW Washington Apprenticeship.

Address: Route 5, Box 325A, Corvallis, OR 97330, Contact: Larry Porter, Phone: (503) 745-5513.

(b) *Approved Courses:*

Abatement Worker (Certified 9/1/85).
Abatement Worker Annual Review (Certified 9/1/85).

(xix)(a) *Training Provider:* Prezant Associates, Inc.

Address: 711 6th Ave. N., Suite 200, Seattle, WA 98109, Contact: Sue Nelson, Phone: (206) 281-8858.

(b) *Approved Courses:*

Abatement Worker (Certified 6/1/88).
Abatement Worker Annual Review (Certified 6/1/88).

Contractor/Supervisor (Certified 9/1/89).

(xx)(a) *Training Provider:* Seattle Area Roofers Joint Apprenticeship Committee.

Address: 2800 1st Ave., Rm. 318, Seattle, WA 98121, Contact: Pat Gilliland, Phone: (206) 728-2777.

(b) *Approved Course:*

Abatement Worker (Certified 1/26/90).

Wisconsin

(21)(a) *State Agency:* Department of Health & Social Services Division of Health, Address: 1414 East Washington Ave., Rm. 112, Madison, WI 53703, Contact: Regina Cowell, Phone: (608) 267-2289.

(b) *Approved Accreditation Program Disciplines:*

Abatement Worker (full from 11/10/89).
Contractor/Supervisor (full from 11/10/89).

Inspector (full from 11/10/89).

Inspector/Management Planner (full from 11/10/89).

Project Designer (full from 11/10/89).

(i)(a) *Training Provider:* Aerostat Environmental Engineering.

Address: P.O. Box 3096, 2817 Atchison Ave., Lawrence, KS 66046, Contact: Joseph Stimac, Phone: (913) 749-4379.

(b) *Approved Course:*

Project Designer (Certified 4/6/90).

(ii)(a) *Training Provider:* Biological & Environmental Control Laboratories Inc.

Address: 615 Front St., Toledo, OH 43605, Contact: James Burk, Phone: (419) 693-5307.

(b) *Approved Course:*

Inspector/Management Planner (Certified 3/28/90).

(iii)(a) *Training Provider:* Daniel J. Hartwig & Associates.

Address: P.O. Box 80, Oregon, WI 53575, Contact: Barb Ellis, Phone: (608) 835-5781.

(b) *Approved Courses:*

Inspector/Management Planner (Certified 2/27/90).

Inspector/Management Planner Annual Review (Certified 2/27/90).

(iv)(a) *Training Provider:*

Environmental Rehab. Inc.

Address: 1030 Parkview Rd., Greenbay, WI 54304, Contact: Randy Lacrosse, Phone: (414) 337-0650.

(b) *Approved Course:*

Abatement Worker (Certified 4/6/90).

(v)(a) *Training Provider:*

Environmental Service Professionals.

Address: 7709 West Beloit Rd., Milwaukee, WI 53219, Contact: Bonnie Good, Phone: (414) 541-9740.

(b) *Approved Courses:*

Abatement Worker (Certified 2/27/90).

Abatement Worker Annual Review (Certified 2/27/90).

Contractor/Supervisor (Certified 2/27/90).

Contractor/Supervisor Annual Review (Certified 2/27/90).

(vi)(a) *Training Provider:* Northland

Environmental Services Inc.

Address: 15 Park Ridge Dr., Stevens Point, WI 54481, Contact: Bob Voborsky, Phone: (715) 341-9699.

(b) *Approved Courses:*

Abatement Worker (Certified 2/27/90).

Abatement Worker Annual Review (Certified 2/27/90).

Contractor/Supervisor (Certified 2/27/90).

Contractor/Supervisor Annual Review (Certified 2/27/90).

(vii)(a) *Training Provider:* Wisconsin

Asbestos Advisory Team.

Address: North 9402 Lakeshore Dr., Van Dyne, WI 54979, Contact: Jerry Martin, Phone: (800) 236-8123.

(b) *Approved Course:*

Contractor/Supervisor (Certified 4/6/90).

(viii)(a) *Training Provider:* Wisconsin

Laborers Training Center.

Address: P.O. Box 150, Route 1, Almond, WI 54909, Contact: Dean Jensen, Phone: (715) 366-8221.

(b) *Approved Courses:*

Abatement Worker (Certified 4/2/90).

Abatement Worker Annual Review (Certified 4/2/90).

Contractor/Supervisor (Certified 3/20/90).

Contractor/Supervisor Annual Review (Certified 3/20/90).

EPA-Approved Training Courses

REGION I - Boston, MA

Regional Asbestos Coordinator: Joe DeCola, EPA, Region I, Air and Management Division (APT-2311), JFK Federal Building, Boston, MA 02203. (617) 565-3835, (FIS) 835-3835.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region I training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* Applied Occupational Health Systems.

Address: 29 River Rd., Bow, NH 03304, Contact: Karen Long, Phone: (603) 228-3610.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 1/29/90).

(2)(a) *Training Provider:* Brooks Safe & Sound, Inc.

Address: 44 Codfish Ln., Weston, CT 06883, Contact: Keith Brooks, Phone: (203) 226-6970.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/27/89).

Abatement Worker Refresher Course (contingent from 11/27/89).

Contractor/Supervisor (contingent from 11/27/89).

Contractor/Supervisor Refresher Course (contingent from 11/27/89).

Inspector/Management Planner (contingent from 11/1/89).

Inspector/Management Planner Refresher Course (contingent from 11/1/89).

(3)(a) *Training Provider:* Con-Test, Inc.

Address: P.O. Box 591, East Longmeadow, MA 01028, Contact: Brenda Bolduc, Phone: (413) 525-1198.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/2/87).

Abatement Worker Refresher Course (full from 11/22/88).

Contractor/Supervisor (contingent from 10/2/87).

Contractor/Supervisor Refresher Course (contingent from 10/2/87).

Contractor/Supervisor Refresher Course (full from 12/21/88).

Inspector/Management Planner (contingent from 10/2/87).

Inspector/Management Planner Refresher Course (contingent from 10/2/87).

Inspector/Management Planner
Refresher Course (full from 2/1/89).
(4)(a) *Training Provider:* Ecosystems, Inc.

Address: 266 Main St., Suite 19,
Medfield, MA 02052, Contact: Richard
Doyle, Phone: (617) 239-8181.

(b) *Approved Course:*
Contractor/Supervisor (contingent from
10/5/87).

(5)(a) *Training Provider:* Enviromed
Services, Inc.

Address: 25 Science Park, New Haven,
CT 06511, Contact: Lawrence J.
Cannon, Phone: (203) 788-5580.

(b) *Approved Courses:*
Abatement Worker (contingent from 7/
8/88).

Abatement Worker (full from 1/12/90).
Abatement Worker Refresher Course
(contingent from 6/19/89).

Contractor/Supervisor (contingent from
2/23/89).

Contractor/Supervisor (full from 1/12/
90).

Contractor/Supervisor Refresher Course
(contingent from 6/19/89).

Inspector/Management Planner
(contingent from 1/30/89).

(6)(a) *Training Provider:*
Environmental Training Services Inc.

Address: 62-H Montvale Pl., Stoneham,
MA 02180, Contact: Maryann Martin,
Phone: (617) 279-0855.

(b) *Approved Course:*
Abatement Worker (contingent from 4/
22/88).

(7)(a) *Training Provider:* Hygienetics,
Inc.

Address: 150 Causeway St., Boston, MA
02114, Contact: Mary Beth Carver,
Phone: (617) 723-4664.

(b) *Approved Course:*
Inspector (contingent from 10/2/87).

(8)(a) *Training Provider:* Industrial
Health & Safety Consultants, Inc.

Address: 915 Bridgeport Ave., Shelton,
CT 06484, Contact: Angela D. Rath,
Phone: (203) 929-1131.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/
15/89).

Abatement Worker Refresher Course
(contingent from 6/19/89).

Contractor/Supervisor (contingent from
5/12/89).

Contractor/Supervisor Refresher Course
(contingent from 6/19/89).

Inspector/Management Planner
(contingent from 11/1/89).

Inspector/Management Planner
Refresher Course (contingent from 11/
1/89).

(9)(a) *Training Provider:* Institute for
Environmental Education.

Address: 208 West Cummings Park,
Woburn, MA 01801, Contact: Lisa
Stammer, Phone: (617) 935-7370.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/
28/88).

Abatement Worker Refresher Course
(full from 11/3/88).

Contractor/Supervisor (full from 9/18/
87).

Contractor/Supervisor Refresher Course
(full from 11/3/88).

Inspector/Management Planner
(contingent from 10/2/87).

Inspector/Management Planner
Refresher Course (contingent from 10/
31/88).

Project Designer (contingent from 2/28/
89).

Project Designer Refresher Course
(contingent from 8/8/89).

(10)(a) *Training Provider:*
International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 33.

Address: 15 South Elm St., Wallingford,
CT 06492, Contact: Joseph V. Soli,
Phone: (203) 265-3547.

(b) *Approved Course:*

Contractor/Supervisor (contingent from
7/27/88).

(11)(a) *Training Provider:* Maine
Labor Group on Health, Inc.

Address: P.O. Box V, Augusta, ME
04332-1042, Contact: Diana White,
Phone: (207) 622-7823.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
11/87).

Abatement Worker Refresher Course
(contingent from 10/17/88).

Contractor/Supervisor (contingent from
5/18/87).

Contractor/Supervisor Refresher Course
(full from 3/26/88).

(12)(a) *Training Provider:* New
England Laborers Training Trust Fund.

Address: Route 97 & Murdock Rd., P.O.
Box 77, Pomfret Center, CT 06259,
Contact: Gennaro Lepore, Phone: (203)
974-1455.

(b) *Approved Course:*

Abatement Worker (contingent from 5/
25/89).

(13)(a) *Training Provider:* New
England Laborers Training Trust Fund.

Address: 37 East St., Hopkinton, MA
01748-2699, Contact: Jim Merloni, Jr.,
Phone: (617) 435-6316.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
5/87).

Abatement Worker Refresher Course
(contingent from 5/20/88).

(14)(a) *Training Provider:* Radiation
Safety Associates, Inc.

Address: P.O. Box 107, 10 Pendleton Dr.,
Hebron, CT 06248, Contact: K. Paul
Steinmeyer, Phone: (203) 228-0487.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
5/16/89).

Inspector/Management Planner
(contingent from 5/16/89).

(15)(a) *Training Provider:* Tufts
University Asbestos Information Center.

Address: 474 Boston Ave., Medford, MA
02155, Contact: Anne Chabot, Phone:
(617) 381-3531.

(b) *Approved Courses:*

Contractor/Supervisor (interim from 9/
1/85 to 5/31/87).

Contractor/Supervisor (full from 6/1/
87).

Inspector/Management Planner (full
from 11/16/87).

REGION II -- Edison, NJ

Regional Asbestos Coordinator:
Albert Kramer, EPA, Region II, 2890
Woodbridge Ave., Raritan Depot, Bldg.
5, (MS-500), Edison, NJ 08837. (201) 321-
6793, (FTS) 340-6793.

List of Approved Courses: The
following training courses have been
approved by EPA. The courses are listed
under (b). This approval is subject to the
level of certification indicated after the
course name. Training Providers are
listed in alphabetical order and do not
reflect a prioritization. Approvals for
Region II training courses and contact
points for each, are as follows:

(1)(a) *Training Provider:* AAC
Contracting, Inc.

Address: 243 Paul Rd., Rochester, NY
14624, Contact: Kevin T. Cannan,
Phone: (716) 328-7010.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/
8/89).

Abatement Worker (full from 1/25/90).

(2)(a) *Training Provider:* ATC
Environmental, Inc.

Address: 104 East 25th St., New York,
NY 10010, Contact: David V.
Chambers, Phone: (212) 353-8280.

(b) *Approved Courses:*

Abatement Worker (full from 11/7/88).

Contractor/Supervisor (full from 11/7/
88).

Inspector/Management Planner
(contingent from 6/5/88).

Inspector/Management Planner (full
from 3/6/89).

(3)(a) *Training Provider:* Abatement
Safety Training Institute.

Address: 323 West 39th St., New York,
NY 10018, Contact: Rosemarie
Bascianilli, Phone: (212) 629-8400.

(b) Approved Courses:

Abatement Worker (contingent from 10/25/88).

Abatement Worker (full from 12/11/89).

Contractor/Supervisor (contingent from 10/25/88).

Contractor/Supervisor (full from 2/9/90).

Inspector/Management Planner (contingent from 3/9/88).

Inspector/Management Planner (full from 3/21/88).

Inspector/Management Planner Refresher Course (contingent from 1/11/89).

Inspector/Management Planner Refresher Course (full from 1/30/89).

(4)(a) Training Provider: Adelaide Environmental Health Associates.

Address: 61 Front St., Binghamton, NY 13905-4705, Contact: William S. Carter, Phone: (607) 722-6839.

(b) Approved Course:

Abatement Worker (contingent from 11/14/88).

(5)(a) Training Provider: Albany Environmental Technologies (A.E. Technologies).

Address: P.O. Box 1346, Schenectady, NY 12301, Contact: Kevin Pilgrim, Phone: (518) 374-4801.

(b) Approved Courses:

Abatement Worker (contingent from 6/8/89).

Contractor/Supervisor (contingent from 6/8/89).

(6)(a) Training Provider: Allegheny Council on Occupational Health.

Address: 100 East Second St., Suite 3, Jamestown, NY 14701, Contact: Linda Berlin, Phone: (716) 488-0720.

(b) Approved Course:

Abatement Worker (contingent from 7/26/89).

(7)(a) Training Provider: Allwash of Syracuse, Inc.

Address: P.O. Box 605, Syracuse, NY 13201, Contact: Paul D. Watson, Phone: (315) 454-4476.

(b) Approved Courses:

Abatement Worker (contingent from 12/16/87).

Abatement Worker (full from 12/7/88).

Abatement Worker Refresher Course (contingent from 12/15/88).

Contractor/Supervisor (contingent from 1/30/89).

Contractor/Supervisor Refresher Course (contingent from 10/17/89).

(8)(a) Training Provider: Alternative Ways, Inc. Educational Services.

Address: Barclay Pavilion E, Suite 222, Route 70, Cherry Hill, NJ 08034, Contact: Linda A. Pardi, Phone: (609) 795-1991.

(b) Approved Courses:

Abatement Worker (contingent from 4/11/88).

Abatement Worker (full from 12/1/89).

Contractor/Supervisor (contingent from 4/11/88).

Contractor/Supervisor (full from 12/1/89).

Inspector/Management Planner (contingent from 4/22/88).

Inspector/Management Planner (full from 5/26/88).

Inspector/Management Planner Refresher Course (contingent from 1/18/89).

Inspector/Management Planner Refresher Course (full from 2/14/90).

(9)(a) Training Provider: Anderson International.

Address: RD 2, North Main Street Extension, Jamestown, NY 14701, Contact: Sally L. Gould, Phone: (716) 664-4028.

(b) Approved Courses:

Abatement Worker (contingent from 12/29/88).

Contractor/Supervisor (contingent from 12/29/88).

(10)(a) Training Provider: Applied Respiratory Technology.

Address: P.O. Box 1132, Peekskill, NY 10566, Contact: Paul M. Madigan, Phone: (914) 431-6421.

(b) Approved Courses:

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 11/28/88).

Abatement Worker Refresher Course (contingent from 10/19/88).

Contractor/Supervisor (contingent from 8/11/88).

Contractor/Supervisor (full from 11/28/88).

Contractor/Supervisor Refresher Course (contingent from 10/31/88).

(11)(a) Training Provider: Asbestos Control Management, Inc.

Address: 126 South Third St., Olean, NY 14760, Contact: Clar D. Anderson, Phone: (716) 372-6393.

(b) Approved Course:

Abatement Worker (contingent from 5/5/89).

(12)(a) Training Provider: Asbestos Training Academy, Inc.

Address: 218 Cooper Center, Pennsauken, NJ 08109, Contact: S.J. Sieracki, Phone: (609) 488-9200.

(b) Approved Courses:

Abatement Worker (contingent from 9/15/88).

Abatement Worker (full from 11/7/88).

Contractor/Supervisor (contingent from 9/15/88).

Contractor/Supervisor (full from 11/7/88).

Inspector (contingent from 4/27/89).

Inspector (full from 1/24/90).

(13)(a) Training Provider: Asteco, Inc.

Address: 140 Telegraph Rd., P.O. Box 179, Middleport, NY 14105, Contact: Claudine R. Larocque, Phone: (716) 735-3894.

(b) Approved Courses:

Abatement Worker (contingent from 3/1/88).

Abatement Worker (full from 4/13/88).

Abatement Worker Refresher Course (contingent from 12/20/88).

(14)(a) Training Provider: Astoria Industries, Inc.

Address: 538 Stewart Ave., Brooklyn, NY 11222, Contact: Gary DiPaolo, Jr., Phone: (718) 387-0011.

(b) Approved Courses:

Abatement Worker (contingent from 3/8/88).

Abatement Worker (full from 4/18/88).

Contractor/Supervisor (contingent from 9/20/89).

Contractor/Supervisor (full from 1/4/90).

Inspector (contingent from 1/18/89).

(15)(a) Training Provider: BOCES-Albany-Schoharie-Schenectady Counties.

Address: 47 Cornell Rd., Latham, NY 12110, Contact: Charlene Vespi, Phone: (518) 786-3211.

(b) Approved Courses:

Abatement Worker (contingent from 7/20/89).

Abatement Worker (full from 3/7/90).

Abatement Worker Refresher Course (contingent from 7/31/89).

Contractor/Supervisor (contingent from 7/20/89).

Inspector/Management Planner (full from 1/26/90).

Inspector/Management Planner Refresher Course (contingent from 10/6/89).

(16)(a) Training Provider: BOCES-Cayuga-Onondaga Counties.

Address: 234 South Street Rd., Auburn, NY 13021, Contact: Peter Pirnie, Phone: (315) 253-0361.

(b) Approved Course:

Abatement Worker (contingent from 6/17/88).

(17)(a) Training Provider: BOCES-Schuyler, Chemung, Tioga Counties.

Address: 431 Philo Road, Elmira, NY 14903, Contact: L. Eugene Ferro, Phone: (607) 739-3581.

(b) Approved Courses:

Abatement Worker (contingent from 6/1/89).

Abatement Worker Refresher Course (contingent from 6/1/89).

- Contractor/Supervisor (contingent from 6/1/89).
- Contractor/Supervisor Refresher Course (contingent from 6/1/89).
- Inspector/Management Planner Refresher Course (contingent from 6/1/89).
- (18)(a) *Training Provider*: Board of Cooperative Educational Services (BOCES) No. 3.
- Address: 507 Deer Park Rd., Dix Hills, NY 11746, Contact: Ciro Aiello, Phone: (516) 667-6000 Ext. 300.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 2/6/89).
- Abatement Worker (full from 11/27/89).
- Contractor/Supervisor (contingent from 2/6/89).
- (19)(a) *Training Provider*: Board of Cooperative Educational Services of Rensselaer, Columbia & Green Counties of New York.
- Address: Brookview Rd., P.O. Box 26, Brookview, NY 12026, Contact: Paul D. Bowler, Phone: (518) 732-7266.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 3/10/89).
- Abatement Worker (full from 3/22/90).
- Inspector/Management Planner (contingent from 4/10/89).
- (20)(a) *Training Provider*: Board of Cooperative Educational Services-Suffolk County Boces 2, Adult Occup. & Continuing Ed.
- Address: 375 Locust Ave., Oakdale, NY 11769, Contact: Edward J. Milliken, Phone: (516) 563-6159.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 3/27/89).
- Abatement Worker Refresher Course (contingent from 6/16/89).
- Contractor/Supervisor (contingent from 3/27/89).
- Contractor/Supervisor Refresher Course (contingent from 6/16/89).
- (21)(a) *Training Provider*: Branch Services, Inc.
- Address: 1255 Lakeland Ave., Bohemia, NY 11716, Contact: Luis Sanders, Phone: (516) 563-7300.
- (b) *Approved Course*:
- Abatement Worker (contingent from 6/1/89).
- (22)(a) *Training Provider*: Buffalo Laborers Training Fund.
- Address: 481 Franklin St., Buffalo, NY 14202, Contact: Victor J. Sansanese, Phone: (716) 884-7157.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 6/30/88).
- Abatement Worker (full from 3/9/90).
- Abatement Worker Refresher Course (contingent from 8/8/89).
- (23)(a) *Training Provider*: Building Laborers Local Union No. 17.
- Address: P.O. Box 252, Vails Gate, NY 12584, Contact: Victor P. Mandia, Phone: (914) 562-1121.
- (b) *Approved Course*:
- Abatement Worker (contingent from 10/31/88).
- (24)(a) *Training Provider*: Calibrations, Inc.
- Address: 802 Watervliet - Shaker Rd., Latham, NY 12110, Contact: James Percent, Phone: (518) 786-1865.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 9/28/88).
- Abatement Worker (full from 12/5/88).
- Abatement Worker Refresher Course (contingent from 3/6/89).
- Contractor/Supervisor (contingent from 9/28/88).
- Contractor/Supervisor (full from 12/5/88).
- Contractor/Supervisor Refresher Course (contingent from 3/6/89).
- Inspector/Management Planner (contingent from 9/28/88).
- Inspector/Management Planner (full from 1/26/90).
- Inspector/Management Planner Refresher Course (contingent from 3/6/89).
- Project Designer (full from 5/23/88).
- Project Designer Refresher Course (contingent from 3/6/89).
- (25)(a) *Training Provider*: Comprehensive Analytical Group.
- Address: 147 Midler Park Dr., Syracuse, NY 13206, Contact: Susan Richardson, Phone: (315) 432-1332.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 3/9/89).
- Abatement Worker (full from 2/16/90).
- Abatement Worker Refresher Course (contingent from 4/25/89).
- Abatement Worker Refresher Course (full from 3/27/90).
- Contractor/Supervisor (contingent from 3/29/89).
- Contractor/Supervisor (full from 2/16/90).
- Contractor/Supervisor Refresher Course (contingent from 5/18/89).
- Contractor/Supervisor Refresher Course (full from 3/27/90).
- Inspector (contingent from 10/27/89).
- (26)(a) *Training Provider*: Ecology & Environment, Inc.
- Address: Buffalo Corporate Center, 368 Pleasantview Dr., Lancaster, NY 14086, Contact: Thomas G. Siener, Phone: (716) 684-8060.
- (b) *Approved Course*:
- Inspector/Management Planner Refresher Course (contingent from 4/7/89).
- (27)(a) *Training Provider*: Education & Training Fund Laborers' Local No. 91.
- Address: 2556 Seneca Ave., Niagra Falls, NY 14305, Contact: Joel Cicero, Phone: (716) 297-6001.
- (b) *Approved Courses*:
- Abatement Worker (full from 7/27/87).
- Abatement Worker Refresher Course (contingent from 10/20/88).
- Abatement Worker Refresher Course (full from 10/22/88).
- (28)(a) *Training Provider*: Edward O. Watts & Associates.
- Address: 1331 North Forest Rd., Suite 340, Buffalo, NY 14221, Contact: Edward O. Watts, Phone: (716) 668-4827.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 1/4/89).
- Abatement Worker (full from 1/20/90).
- Abatement Worker Refresher Course (contingent from 3/3/89).
- Contractor/Supervisor (contingent from 7/12/89).
- Contractor/Supervisor (full from 1/20/90).
- Contractor/Supervisor Refresher Course (contingent from 3/3/89).
- (29)(a) *Training Provider*: General Bldg. Laborer's Local Union No. 66.
- Address: 288 Middle Island Rd., Medford, NY 11763, Contact: Peter Purrazzella, Phone: (516) 696-2280.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 8/10/89).
- Abatement Worker (full from 12/1/89).
- (30)(a) *Training Provider*: Hazardous Waste Management Corp. Training Center of Buffalo, New York.
- Address: 3816 Union Rd., Buffalo, NY 14225-5301, Contact: Donald Larder, Phone: (716) 634-3000.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 10/31/88).
- Contractor/Supervisor (contingent from 10/31/88).
- (31)(a) *Training Provider*: Hudson Asbestos Training Institute.
- Address: 604 Manhattan Ave., Brooklyn, NY 11222, Contact: Henry Kawiorski, Phone: (718) 383-2656.
- (b) *Approved Courses*:
- Abatement Worker (contingent from 1/30/89).
- Abatement Worker (full from 3/13/89).
- Contractor/Supervisor (contingent from 1/30/89).

(32)(a) *Training Provider:* Hunter College Asbestos Training Center.
Address: 425 East 25th St., New York, NY 10010, Contact: Jack Caravanos, Phone: (212) 481-7569.

(b) *Approved Courses:*

Abatement Worker (full from 7/1/88).
Abatement Worker Refresher Course (contingent from 6/20/89).
Contractor/Supervisor (full from 7/1/88).
Contractor/Supervisor Refresher Course (contingent from 6/20/89).
Inspector/Management Planner (contingent from 12/21/89).

(33)(a) *Training Provider:* Hygeia Research & Training.

Address: P.O. Box 4506, Utica, NY 13501.
Contact: Richard A. Gigliotti, Phone: (315) 732-8567.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/9/88).
Abatement Worker (full from 5/6/88).
Abatement Worker Refresher Course (contingent from 12/12/88).
Abatement Worker Refresher Course (full from 1/17/90).
Contractor/Supervisor (contingent from 1/26/89).
Contractor/Supervisor (full from 3/8/90).
Contractor/Supervisor Refresher Course (contingent from 12/20/88).
Contractor/Supervisor Refresher Course (full from 1/17/90).

(34)(a) *Training Provider:* Institute of Asbestos Awareness.

Address: 2 Heitz Pl., Suite 1000, Hicksville, NY 11801, Contact: Henry R. Clegg, Phone: (516) 937-1600.

(b) *Approved Courses:*

Abatement Worker (full from 10/24/88).
Abatement Worker Refresher Course (contingent from 3/8/89).
Contractor/Supervisor (full from 10/24/88).
Contractor/Supervisor Refresher Course (contingent from 3/8/89).
Inspector/Management Planner (contingent from 9/28/88).
Inspector/Management Planner (full from 3/2/89).
Inspector/Management Planner Refresher Course (contingent from 3/8/89).
Project Designer (contingent from 9/26/89).

(35)(a) *Training Provider:* Institute of Asbestos Technology Corp.

Address: 5900 Butternut Dr., East Syracuse, NY 13057, Contact: Charles Kirch, Phone: (315) 437-1307.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/18/88).

Abatement Worker (full from 6/27/88).
Abatement Worker Refresher Course (contingent from 12/20/88).
Contractor/Supervisor (contingent from 4/7/89).

Contractor/Supervisor Refresher Course (contingent from 6/8/89).
Inspector/Management Planner (contingent from 10/19/89).
Inspector/Management Planner Refresher Course (contingent from 10/27/89).

(36)(a) *Training Provider:* Kaselaan & D'Angelo Associates, Inc.

Address: 220 Fifth Ave., New York, NY 10001, Contact: Lance Fredericks, Phone: (212) 216-8340.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/15/89).
Abatement Worker (full from 3/16/90).
Contractor/Supervisor (contingent from 3/27/89).
Inspector/Management Planner (contingent from 2/12/88).
Inspector/Management Planner (full from 3/7/88).
Inspector/Management Planner Refresher Course (full from 4/27/89).

(37)(a) *Training Provider:* Korean Asbestos Training Center.

Address: 46-12 Queens Blvd, Long Island City, NY 11104, Contact: Tchang S. Bahrk, Phone: (718) 361-8464.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/11/89).
Abatement Worker Refresher Course (contingent from 5/22/89).
Contractor/Supervisor (contingent from 5/11/89).
Contractor/Supervisor Refresher Course (contingent from 5/22/89).

(38)(a) *Training Provider:* Laborers Local Union No. 214 of Oswego New York & Vicinity Training & Education Fund.

Address: 23 Mitchell St., Oswego, NY 13126, Contact: John T. Shannon, Phone: (315) 343-8553.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/88).
Abatement Worker (full from 1/23/89).
Abatement Worker Refresher Course (contingent from 2/15/89).
Contractor/Supervisor (contingent from 10/7/89).

(39)(a) *Training Provider:* Lozier Architects/Engineers.

Address: 600 Perinton Hills, Fairport, NY 14450, Contact: Dyke Coyne, Phone: (716) 223-7610.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/12/89).

Abatement Worker Refresher Course (contingent from 7/12/89).

(40)(a) *Training Provider:* McDonnell-Gamble Environmental Services, Inc.

Address: 444 Park Ave. South, 5th Fl., Suite 503, New York, NY 10016, Contact: Yelena Goodman, Phone: (212) 545-1122.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/15/88).
Abatement Worker (full from 12/5/88).
Abatement Worker Refresher Course (contingent from 8/25/89).
Contractor/Supervisor (contingent from 10/18/88).
Contractor/Supervisor (full from 12/5/88).

(41)(a) *Training Provider:* Monroe Community College of Rochester, New York.

Address: P.O. Box 9720, Rochester, NY 14623-0720, Contact: Dusty Swanger, Phone: (716) 272-9839.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).
Abatement Worker (full from 4/26/89).
(42)(a) *Training Provider:* National Asbestos Training Institute (NATI).
Address: 1776 Bloomsbury Ave., Ocean, NJ 07712, Contact: Doris L. Adler, Phone: (201) 918-0610.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).
Abatement Worker (full from 12/1/89).
Abatement Worker Refresher Course (contingent from 10/20/89).
Abatement Worker Refresher Course (full from 1/31/90).
Contractor/Supervisor (contingent from 11/3/89).
Contractor/Supervisor (full from 12/1/89).
Contractor/Supervisor Refresher Course (contingent from 10/20/89).
Contractor/Supervisor Refresher Course (full from 1/31/90).
Inspector/Management Planner (contingent from 6/13/88).
Inspector/Management Planner (full from 4/17/89).
Inspector/Management Planner Refresher Course (contingent from 5/25/89).
Inspector/Management Planner Refresher Course (full from 1/31/90).
Project Designer (contingent from 11/3/89).
Project Designer (full from 2/7/90).
Project Designer Refresher Course (contingent from 10/20/89).

(43)(a) *Training Provider:* National Institute on Abatement Science & Technology (NIAST).

Address: 114 West State St., P.O. Box 1780, Trenton, NJ 08607-1780, Contact: Glenn W. Phillips, Phone: (800) 422-2836.

(b) *Approved Courses:*

Inspector (contingent from 3/8/88).
Inspector (full from 4/11/88).

(44)(a) *Training Provider:* New York University School of Continuing Education.

Address: 11 West 42nd St., New York, NY 10036, Contact: Charles Schwartz, Phone: (212) 790-1647.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/18/89).
Abatement Worker (full from 11/17/89).
Abatement Worker Refresher Course (contingent from 6/8/89).
Contractor/Supervisor (contingent from 5/18/89).
Contractor/Supervisor (full from 11/17/89).
Contractor/Supervisor Refresher Course (contingent from 6/8/89).
Inspector/Management Planner (contingent from 5/18/89).
Inspector/Management Planner (full from 12/8/89).
Inspector/Management Planner Refresher Course (contingent from 6/8/89).
Inspector/Management Planner Refresher Course (full from 3/27/90).
Project Designer (contingent from 5/18/89).
Project Designer (full from 1/10/90).
Project Designer Refresher Course (contingent from 6/8/89).

(45)(a) *Training Provider:* Niagara County Community College.

Address: Corporate Training Center, P.O. Box 70, Lockport, NY 14095, Contact: Eugene Zinni, Phone: (716) 433-1856.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/5/88).
Abatement Worker (full from 1/25/88).
Abatement Worker Refresher Course (contingent from 1/23/89).
Contractor/Supervisor (contingent from 1/5/88).
Contractor/Supervisor (full from 2/19/88).
Contractor/Supervisor Refresher Course (contingent from 2/8/89).
Inspector/Management Planner (contingent from 5/18/88).
Inspector/Management Planner (full from 12/5/88).
Inspector/Management Planner Refresher Course (contingent from 3/6/89).

(46)(a) *Training Provider:* Northeastern Analytical Corporation.

Address: 4 Stow Rd., Marlton, NJ 08053, Contact: Robert Howlitt, Phone: (609) 985-8000.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/17/89).
Abatement Worker Refresher Course (contingent from 8/17/89).
Contractor/Supervisor (contingent from 8/17/89).
Contractor/Supervisor Refresher Course (contingent from 8/17/89).

(47)(a) *Training Provider:* O'Brien & Gere Engineers, Inc.

Address: 5000 Brittonfield Pkwy., P.O. Box 4873, Syracuse, NY 13221, Contact: Michael P. Quirk, Phone: (315) 437-6100.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/19/89).
Abatement Worker (full from 4/10/89).
Abatement Worker Refresher Course (contingent from 9/21/89).
Contractor/Supervisor (contingent from 1/19/89).
Contractor/Supervisor (full from 4/10/89).
Contractor/Supervisor Refresher Course (contingent from 9/21/89).
Inspector/Management Planner (full from 10/27/88).
Inspector/Management Planner Refresher Course (contingent from 2/24/89).
Inspector/Management Planner Refresher Course (full from 1/17/90).

(48)(a) *Training Provider:* Orange/ Ulster BOCES Risk Management Dept.

Address: RD 2 Gibson Rd., Goshen, NY 10924, Contact: Arthur J. Lange, Phone: (914) 294-5431.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).
Contractor/Supervisor (contingent from 3/2/89).

(49)(a) *Training Provider:* P.A. Environmental Corp.

Address: 4240-24F Hutchinson River Pkwy. E., Bronx, NY 10475, Contact: Pichai Arjarasumpun, Phone: (212) 379-6716.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/31/89).
Abatement Worker Refresher Course (contingent from 5/31/89).
Contractor/Supervisor (contingent from 5/31/89).
Contractor/Supervisor Refresher Course (contingent from 5/31/89).

(50)(a) *Training Provider:* Paradigm Environmental Services, Inc.

Address: 961 Lyell Ave., Building 2, Suite 8, Rochester, NY 14606, Contact: Marsha R. Cummings, Phone: (716) 647-2530.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/19/89).
Abatement Worker Refresher Course (contingent from 10/3/89).
Contractor/Supervisor (contingent from 12/28/89).
Contractor/Supervisor Refresher Course (contingent from 10/6/89).

(51)(a) *Training Provider:* Princeton Testing Laboratory, Inc.

Address: 3490 US Route 1, Princeton Service Center, Princeton, NJ 08543, Contact: Charles Schneekloth, Phone: (609) 452-9050.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 3/21/88).

(52)(a) *Training Provider:* Puerto Rico Environmental Consultants and Training Center, Inc.

Address: Cond. Banco Cooperativo Plaza Office, 302-B, Hato Rey, PR 00917, Contact: Roberto Berber, Phone: (809) 250-6052.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/1/89).
Abatement Worker Refresher Course (contingent from 11/20/89).
Contractor/Supervisor (contingent from 11/1/89).
Contractor/Supervisor Refresher Course (contingent from 11/20/89).
Inspector/Management Planner (contingent from 11/1/89).
Inspector/Management Planner Refresher Course (contingent from 11/20/89).

(53)(a) *Training Provider:* R. J. Fletcher, Inc.

Address: P.O. Box 5021, Utica, NY 13505, Contact: Robert J. Fletcher, Phone: (315) 724-0141.

(b) *Approved Courses:*

Abatement Worker Refresher Course (contingent from 2/24/89).
Inspector/Management Planner Refresher Course (contingent from 2/24/89).

(54)(a) *Training Provider:* SUNY College of Technology at Farmingdale.

Address: Biology Department, Nathan Hale Hall, Farmingdale, NY 11735, Contact: Charles Erlanger, Phone: (516) 420-2000.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 4/24/89).

Inspector/Management Planner
Refresher Course (contingent from 4/
24/89).

(55)(a) *Training Provider:* Safe Air
Environmental Group, Inc.

Address: P.O. Box 1767, Williamsville,
NY 14231, Contact: L.J. Beenu or
Cronan Long, Phone: (716) 632-0707.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
8/88).

Abatement Worker (full from 4/4/88).

Abatement Worker Refresher Course
(contingent from 3/2/89).

Contractor/Supervisor (contingent from
3/8/88).

Contractor/Supervisor (full from 4/4/
88).

Contractor/Supervisor Refresher Course
(contingent from 3/2/89).

(56)(a) *Training Provider:* Safety
Training, Inc.

Address: 114 Durst Pl., Yonkers, NY
10704, Contact: Nelson Helu, Phone:
(914) 963-6831.

(b) *Approved Course:*

Abatement Worker (contingent from 4/
25/88).

(57)(a) *Training Provider:* State
University of New York at Buffalo
Toxicology Research Center.

Address: 111 Farber Hall, Buffalo, NY
14214, Contact: Paul J. Kostyniak/J.
Syracuse, Phone: (716) 831-2125.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
19/89).

Abatement Worker Refresher Course
(contingent from 2/2/89).

Contractor/Supervisor (contingent from
10/19/89).

Contractor/Supervisor Refresher Course
(contingent from 2/2/89).

Inspector/Management Planner
(contingent from 1/25/89).

Inspector/Management Planner
Refresher Course (contingent from 2/
2/89).

(58)(a) *Training Provider:* State of
New Jersey Dept. of Health.

Address: CN 360, Trenton, NJ 08625-
0360, Contact: James A. Brownlee,
Phone: (609) 984-2193.

(b) *Approved Course:*

Inspector/Management Planner
Refresher Course (contingent from 3/
28/89).

(59)(a) *Training Provider:* Testwell
Craig Laboratories of Albany, Inc.

Address: 518 Clinton Ave., Albany, NY
12206, Contact: George W. Stowell,
Phone: (518) 436-4114.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
15/88).

Abatement Worker (full from 1/24/89).

Abatement Worker Refresher Course
(contingent from 10/17/89).

Contractor/Supervisor (contingent from
6/20/89).

(60)(a) *Training Provider:* The
University of Medicine & Dentistry of
New Jersey, Robert Wood Johnson
Medical School.

Address: Brookwood II, 45
Knightsbridge Rd., Piscataway, NJ
08854, Contact: Lee Lausden, Phone:
(201) 463-5062.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
17/89).

Abatement Worker Refresher Course
(contingent from 10/17/89).

Contractor/Supervisor (contingent from
10/17/89).

Contractor/Supervisor Refresher Course
(contingent from 10/17/89).

Project Designer (contingent from 11/20/
89).

Project Designer Refresher Course
(contingent from 10/17/89).

(61)(a) *Training Provider:* Tri-Cities
Laborers Training Program.

Address: 666 Wemple Road, Box 100,
Glenmont, NY 12077, Contact: Joseph
A. Zappone, Phone: (518) 370-3463.

(b) *Approved Courses:*

Abatement Worker (full from 3/21/88).

Abatement Worker Refresher Course
(contingent from 10/26/88).

Abatement Worker Refresher Course
(full from 2/2/89).

(62)(a) *Training Provider:* Union
Occupational Health Center.

Address: 450 Grider St., Buffalo, NY
14215, Contact: Garath L. Tubbs,
Phone: (716) 894-9366.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
31/88).

Contractor/Supervisor (contingent from
10/17/89).

(63)(a) *Training Provider:* Utilicom
Corp.

Address: 7 Tobey Village Office Park,
Pittsford, NY 14534, Contact: Jackie
Aab, Phone: (716) 381-8710.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
20/88).

Abatement Worker (full from 10/31/88).

Abatement Worker Refresher Course
(contingent from 4/21/89).

(64)(a) *Training Provider:* Warren
Mae Associates.

Address: RD 3, Box 390, Endicott, NY
13760, Contact: Janine C. Rogelstad,
Phone: (607) 754-8386.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
11/88).

Abatement Worker (full from 1/4/89).

Abatement Worker Refresher Course
(contingent from 3/2/89).

Abatement Worker Refresher Course
(full from 3/20/90).

(65)(a) *Training Provider:* Western
New York Council on Occupational
Safety & Health (WNYCOSH).

Address: 450 Grider St., Buffalo, NY
14215, Contact: Jeanne Reilly, Phone:
(716) 897-2110.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
28/87).

Abatement Worker (full from 1/24/88).

(66)(a) *Training Provider:* Wetlands &
Environmental Technologies, Inc.

Address: 88 Willow Ave., Hackensack,
NJ 07601, Contact: John J. Borris,
Phone: (201) 361-4799.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
8/89).

Inspector/Management Planner
(contingent from 11/8/89).

Project Designer (contingent from 11/8/
89).

(67)(a) *Training Provider:* White Lung
Association - NY.

Address: 12 Warren St., 4th Fl., New
York, NY 10007, Contact: Daniel
Manasia, Phone: (212) 619-2270.

(b) *Approved Course:*

Inspector (contingent from 2/23/89).

(68)(a) *Training Provider:* White Lung
Association of New Jersey.

Address: 901 Broad St., Newark, NJ
07102, Contact: Antonio Legorreta,
Phone: (201) 824-2623.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
19/89).

Contractor/Supervisor (contingent from
6/19/89).

Inspector/Management Planner
(contingent from 9/19/89).

(69)(a) *Training Provider:* Zola
Sookias Associates Environmental
Consultants.

Address: 545 Eighth Ave., Suite 401,
New York, NY 10018, Contact: Zola
Sookias, Phone: (212) 330-0914.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
6/89).

Contractor/Supervisor (contingent from
10/6/89).

REGION III -- Philadelphia, PA

Regional Asbestos Coordinator:
Carole Dougherty, EPA, Region III
(3AM-32), 801 Arch St., Philadelphia, PA
19107. (215) 597-3160, (FTS) 597-3160.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region III training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* A & S Training School, Inc.

Address: 99 South Cameron St., Harrisburg, PA 17101, Contact: Anna Marie Sossong, Phone: (717) 257-1360.

(b) *Approved Courses:*

Abatement Worker (full from 5/20/85).
Contractor/Supervisor (full from 5/20/85).

(2)(a) *Training Provider:* ASBESTOS Removal Co.

Address: 521 D Pulaski Hwy., Joppa, MD 21085, Contact: Nick Thrappas, Phone: (301) 679-6062.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(3)(a) *Training Provider:* Advance Analytical Laboratories Inc.

Address: 30th & North Church Sts., Hazleton, PA 18201, Contact: Steven L. Hahn, Phone: (717) 455-5115.

(b) *Approved Courses:*

Abatement Worker (full from 9/8/88).

Abatement Worker Refresher Course (contingent from 12/29/88).

Contractor/Supervisor (contingent from 8/11/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).

(4)(a) *Training Provider:* Aerosol Monitoring & Analysis, Inc.

Address: 1341 Ashton Rd., Suite A, Hanover, MD 21076, Contact: Steve Blizzard, Phone: (301) 684-3327.

(b) *Approved Courses:*

Abatement Worker (full from 11/27/87).

Abatement Worker Refresher Course (contingent from 4/20/89).

Abatement Worker Refresher Course (full from 9/1/89).

Contractor/Supervisor (full from 11/27/87).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

Contractor/Supervisor Refresher Course (full from 9/1/89).

Inspector/Management Planner (contingent from 3/1/88).

Inspector/Management Planner (full from 3/31/88).

(5)(a) *Training Provider:* Alcam, Inc.

Address: 113 Poplar St., Box 213, Ambler, PA 19002, Contact: Albert Camburn, Phone: (215) 367-2791.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/26/89).

Contractor/Supervisor (contingent from 1/26/89).

(6)(a) *Training Provider:* Alice Hamilton Center for Occupational Health Center.

Address: 410 7th #5GST., SE., 2nd Fl., Washington, DC 20003, Contact: Brian Christopher, Phone: (202) 543-0005.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/12/87).

Abatement Worker (full from 1/16/88).

Abatement Worker Refresher Course (contingent from 12/29/88).

Abatement Worker Refresher Course (full from 2/22/90).

Contractor/Supervisor (full from 1/16/88).

Contractor/Supervisor Refresher Course (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (full from 2/22/90).

Inspector/Management Planner (contingent from 3/9/88).

Inspector/Management Planner (full from 6/20/88).

Inspector/Management Planner Refresher Course (contingent from 3/2/89).

(7)(a) *Training Provider:* American Asbestos Training Institute, Inc.

Address: 2133 Arch St., Philadelphia, PA 19103, Contact: Linda McNeil, Phone: (215) 988-9710.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/16/89).

Contractor/Supervisor (contingent from 5/16/89).

(8)(a) *Training Provider:* American Monitoring & Engineering Services, Inc.

Address: 200 High Tower Boulevard, Suite 205, Pittsburgh, PA 15205, Contact: David J. Drummond, Phone: (412) 788-8300.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 7/21/89).

(9)(a) *Training Provider:* Apex Environmental, Inc.

Address: 7652 Standish Pl., Rockville, MD 20855, Contact: Dorothy Washlick, Phone: (301) 217-9200.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/27/89).

Contractor/Supervisor (contingent from 7/27/89).

(10)(a) *Training Provider:* Asbestos Abatement Council, AWCI.

Address: 1600 Cameron St., Alexandria, VA 22314-2705, Contact: Gene Fisher, Phone: (703) 684-2924.

(b) *Approved Courses:*

Abatement Worker (full from 6/17/87).
Contractor/Supervisor (full from 6/17/87).

(11)(a) *Training Provider:* Asbestos Analytical Association, Inc.

Address: 3208-B George Washington Hwy., Portsmouth, VA 23704, Contact: Carol A. Holden, Phone: (804) 397-0695.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Contractor/Supervisor (contingent from 10/7/88).

(12)(a) *Training Provider:* Asbestos Environmental Services of Maryland, Inc.

Address: P.O. Box 28, Timonium, MD 21093, Contact: David George, Phone: (301) 584-1490.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 4/6/89).

(13)(a) *Training Provider:* Asbestos Removal Co.

Address: 521 D Pulaski Hwy., Joppa, MD 21085, Contact: Nick Thrappas, Phone: (301) 679-6021.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(14)(a) *Training Provider:* Asbestos Training Center.

Address: 628 Spring St., Fairmont, WV 26554, Contact: Theodore Jackson, Phone: (304) 363-3803.

(b) *Approved Course:*

Abatement Worker (contingent from 12/11/89).

(15)(a) *Training Provider:* Asbestos Workers Local Union No. 24.

Address: 6713 Ammendale Rd., Beltsville, MD 20705, Contact: Thomas Haun, Phone: (301) 937-7636.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/15/88).

Abatement Worker Refresher Course (contingent from 12/1/88).

Contractor/Supervisor (contingent from 12/1/88).

Contractor/Supervisor Refresher Course (contingent from 12/1/88).

(16)(a) *Training Provider:* Associated Thermal Services.

Address: 121 Edgewood Ave., Pittsburgh, PA 15218, Contact: Renee Yuhasz, Phone: (412) 247-4003.

(b) Approved Courses:

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

Inspector/Management Planner (contingent from 12/11/89).

Project Designer (contingent from 12/11/89).

(17)(a) Training Provider: Atlantic Environmental Resources Inc.

Address: 10111-B Bacon Dr., Beltsville, MD 20705, Contact: John E. Kee, Phone: (301) 595-1014.

(b) Approved Courses:

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(18)(a) Training Provider: BARCO Enterprises, Inc.

Address: 2439 North Charles St., Baltimore, MD 21218, Contact: Bart Harrison, Phone: (301) 889-7770.

(b) Approved Courses:

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(19)(a) Training Provider: Biospherics, Inc.

Address: 12051 Indian Creek Ct., Beltsville, MD 20705, Contact: Marian Meiselman, Phone: (301) 369-3900.

(b) Approved Courses:

Abatement Worker (full from 10/1/87).

Abatement Worker Refresher Course (contingent from 8/12/88).

Abatement Worker Refresher Course (full from 10/31/88).

Contractor/Supervisor (full from 10/1/87).

Contractor/Supervisor Refresher Course (contingent from 8/12/88).

Contractor/Supervisor Refresher Course (full from 10/31/88).

Inspector/Management Planner (contingent from 5/20/88).

Inspector/Management Planner (full from 8/15/88).

Inspector/Management Planner Refresher Course (contingent from 2/23/89).

Inspector/Management Planner Refresher Course (full from 3/20/89).

(20)(a) Training Provider: Briggs Associates, Inc.

Address: 8300 Guilford Rd., Suite E, Columbia, MD 21046, Contact: J. Ross Voorhees, Phone: (301) 381-4434.

(b) Approved Courses:

Abatement Worker (contingent from 1/30/89).

Abatement Worker (full from 1/11/90).

Abatement Worker Refresher Course (contingent from 1/26/90).

Contractor/Supervisor (contingent from 1/25/90).

(21)(a) Training Provider: Brujos Scientific, Inc.

Address: 505 Drury Ln., Baltimore, MD 21229, Contact: Robert Olcerst, Phone: (301) 566-0859.

(b) Approved Courses:

Abatement Worker (full from 11/21/88).

Contractor/Supervisor (contingent from 9/29/88).

(22)(a) Training Provider: Business Industrial Safety Supplies.

Address: 118 East Patapsco Ave., Baltimore, MD 21225, Contact: Ronald Mace, Phone: (301) 354-2477.

(b) Approved Courses:

Abatement Worker (contingent from 11/20/89).

Contractor/Supervisor (contingent from 11/20/89).

(23)(a) Training Provider: Camtech, Inc.

Address: 4550 McKnight Rd., Suite 202, Pittsburgh, PA 15237, Contact: Leslie Connors, Phone: (412) 931-1210.

(b) Approved Course:

Inspector/Management Planner (contingent from 10/13/89).

(24)(a) Training Provider: Carpenters Joint Apprenticeship Committee of Western Pennsylvania.

Address: 495 Mansfield Ave., Pittsburgh, PA 15205, Contact: William Shehab, Phone: (412) 922-6200.

(b) Approved Courses:

Abatement Worker (contingent from 12/1/88).

Abatement Worker (full from 10/6/89).

Abatement Worker Refresher Course (contingent from 10/20/89).

Contractor/Supervisor (contingent from 11/27/89).

Contractor/Supervisor (full from 11/27/89).

Contractor/Supervisor Refresher Course (full from 11/27/89).

(25)(a) Training Provider: Center for Environmental & Occupational Training, Inc.

Address: 814 East Pittsburgh Plaza, Pittsburgh, PA 15112, Contact: David Ginsburg, Phone: (412) 823-1002.

(b) Approved Courses:

Abatement Worker (contingent from 9/15/88).

Abatement Worker (full from 12/8/88).

Abatement Worker Refresher Course (full from 1/19/89).

Contractor/Supervisor (contingent from 9/15/88).

Contractor/Supervisor (full from 12/8/88).

Contractor/Supervisor Refresher Course (full from 1/19/89).

Inspector/Management Planner (contingent from 3/1/89).

Inspector/Management Planner Refresher Course (contingent from 3/1/89).

Project Designer (contingent from 6/29/89).

Project Designer (full from 12/21/89).

Project Designer Refresher Course (contingent from 12/13/89).

(26)(a) Training Provider: Center for Hazardous Materials Research.

Address: University of Pittsburgh Applied, Research Center, 320 William Pitt Way, Pittsburgh, PA 15238, Contact: Steven T. Ostheim, Phone: (412) 826-5320.

(b) Approved Courses:

Abatement Worker (contingent from 11/28/88).

Contractor/Supervisor (contingent from 11/28/88).

(27)(a) Training Provider: Charles County Community College.

Address: Mitchell Rd., Box 910, LaPlata, MD 20646-0910, Contact: Jake Bair, Phone: (301) 934-2251.

(b) Approved Courses:

Abatement Worker (contingent from 1/26/89).

Abatement Worker Refresher Course (contingent from 4/20/89).

Contractor/Supervisor (contingent from 1/26/89).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

(28)(a) Training Provider: Delaware Technical & Community College, Terry Campus/Stanton Campus.

Address: 1798 North DuPont Pkwy., P.O. Box 897, Dover, DE 19903, Contact: David Stanley, Phone: (302) 454-3900.

(b) Approved Courses:

Abatement Worker (contingent from 4/20/88).

Abatement Worker Refresher Course (contingent from 3/1/88).

Contractor/Supervisor (contingent from 4/20/88).

Contractor/Supervisor Refresher Course (contingent from 3/1/88).

(29)(a) Training Provider: Dept. of the Environment, State of Maryland.

Address: 2500 Broening Hwy., Baltimore, MD 21224, Contact: Barbara Conrad, Phone: (301) 631-3847.

(b) Approved Course:

Inspector/Management Planner (contingent from 4/14/89).

(30)(a) Training Provider: District Council of Eastern Pennsylvania.

Address: 2163 Berryhill St., Harrisburg, PA 17104, Contact: Gerald D. Temarantz, Phone: (717) 564-2707.

(b) Approved Courses:

Abatement Worker (full from 1/30/89).
Abatement Worker Refresher Course
(contingent from 8/17/89).

(31)(a) *Training Provider:* Drexel University, Office of Continuing Professional Education.

Address: 32nd & Chestnut Sts., Philadelphia, PA 19104, Contact: Robert Ross, Phone: (215) 895-2156.

(b) Approved Courses:

Abatement Worker (interim from 9/1/86 to 11/11/87).

Abatement Worker (full from 11/12/87).

Abatement Worker Refresher Course
(contingent from 12/29/88).

Contractor/Supervisor (interim from 9/1/86 to 11/11/87).

Contractor/Supervisor (full from 11/12/87).

Contractor/Supervisor Refresher Course
(contingent from 12/29/88).

Inspector/Management Planner
(contingent from 3/8/88).

Inspector/Management Planner (full from 3/14/88).

Inspector/Management Planner Refresher Course (contingent from 12/29/88).

Project Designer (contingent from 11/27/89).

(32)(a) *Training Provider:* Dynamac Corp.

Address: 11140 Rockville Pike, Rockville, MD 20852, Contact: Richard A. De Blasio, Phone: (301) 468-2500.

(b) Approved Courses:

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 3/2/89).

Inspector/Management Planner
(contingent from 9/1/88).

Inspector/Management Planner Refresher Course (contingent from 6/26/89).

(33)(a) *Training Provider:* E.I. DuPont de Nemours & Co. Spruance Plant.

Address: P.O. Box 27001, Richmond, VA 23261, Contact: Clarence P. Mihal, Jr., Phone: (804) 743-2948.

(b) Approved Course:

Abatement Worker (contingent from 11/14/88).

(34)(a) *Training Provider:* Eagle Industrial Hygiene Association Inc.

Address: 405 Masons Mill Rd., Huntingdon Valley, PA 19006, Contact: Stephen R. Bell, Phone: (215) 657-2261.

(b) Approved Courses:

Abatement Worker (contingent from 4/6/89).

Abatement Worker (full from 7/14/89).

Abatement Worker Refresher Course
(contingent from 10/30/89).

Contractor/Supervisor (contingent from 4/6/89).

Contractor/Supervisor (full from 7/14/89).

Contractor/Supervisor Refresher Course
(contingent from 10/30/89).

Inspector/Management Planner
(contingent from 5/16/89).

Inspector/Management Planner Refresher Course (contingent from 7/20/89).

Project Designer (contingent from 12/11/89).

(35)(a) Training Provider:

Environmental Education Associates.

Address: 28 West Main St., Plymouth, PA 18651, Contact: Harry H. West, Phone: (717) 779-4242.

(b) Approved Courses:

Abatement Worker (contingent from 5/17/89).

Contractor/Supervisor (contingent from 5/17/89).

Inspector (contingent from 5/17/89).

(36)(a) Training Provider:

Environmental Training & Consultants, Inc.

Address: 2 Bala Plaza, Suite 300, Bala Cynwyd, PA 19004, Contact: Linda L. Kershaw, Phone: (215) 667-4685.

(b) Approved Courses:

Abatement Worker (contingent from 4/6/89).

Abatement Worker Refresher Course
(contingent from 1/13/90).

Contractor/Supervisor (contingent from 4/6/89).

Contractor/Supervisor Refresher Course
(contingent from 1/13/90).

Inspector/Management Planner
(contingent from 4/6/89).

Inspector/Management Planner Refresher Course (contingent from 1/13/90).

(37)(a) Training Provider:

Environmental Training, Inc.

Address: 10 Industrial Hwy., Building N, Tinicum Industrial Park, Philadelphia, PA 19113, Contact: Gary D. Hyrne, Phone: (215) 521-5469.

(b) Approved Courses:

Abatement Worker (contingent from 3/1/89).

Abatement Worker Refresher Course
(contingent from 6/29/89).

Contractor/Supervisor (contingent from 3/1/89).

Contractor/Supervisor Refresher Course
(contingent from 6/29/89).

(38)(a) *Training Provider:* Facilities Management Consultants, Inc.

Address: P.O. Box 309, Cecil, PA 15321, Contact: Edward Monaco, Phone: (412) 745-1770.

(b) Approved Courses:

Abatement Worker (contingent from 6/30/88).

Abatement Worker (full from 10/18/88).

Abatement Worker Refresher Course
(contingent from 7/21/89).

Abatement Worker Refresher Course
(full from 10/5/89).

Contractor/Supervisor (full from 10/18/88).

Contractor/Supervisor Refresher Course
(contingent from 7/21/89).

Contractor/Supervisor Refresher Course
(full from 10/5/89).

(39)(a) *Training Provider:* GA Environmental Services, Inc.

Address: Pier 5 Penn's Landing, Philadelphia, PA 19106, Contact: Frank E. Cona, Phone: (215) 351-4045.

(b) Approved Courses:

Abatement Worker (contingent from 8/17/89).

Abatement Worker Refresher Course
(contingent from 12/13/89).

Contractor/Supervisor (contingent from 8/17/89).

Contractor/Supervisor Refresher Course
(contingent from 12/13/89).

Inspector/Management Planner
(contingent from 11/7/89).

Inspector/Management Planner Refresher Course (contingent from 11/7/89).

Project Designer (contingent from 8/17/89).

Project Designer Refresher Course
(contingent from 12/13/89).

(40)(a) Training Provider: GST Co.

Address: Freedom Professional Bldg., 1341 Old Freedom Rd., Suite 3B, Mars, PA 16046, Contact: Norma Stanford, Phone: (412) 772-7488.

(b) Approved Courses:

Abatement Worker (contingent from 11/14/88).

Abatement Worker (full from 12/5/88).

Abatement Worker Refresher Course
(contingent from 1/30/89).

Contractor/Supervisor (contingent from 11/14/88).

Contractor/Supervisor (full from 12/5/88).

Contractor/Supervisor Refresher Course
(contingent from 1/30/89).

Inspector/Management Planner
(contingent from 12/29/88).

Inspector/Management Planner Refresher Course (contingent from 12/12/89).

(41)(a) *Training Provider:* Galson Technical Services, Inc.

Address: 5170 Campus Dr., Suite 200, Plymouth Meeting, PA 19462, Contact: Ernest L. Sweet, Phone: (215) 432-0506.

(b) Approved Course:

Inspector/Management Planner
(contingent from 6/17/88).

(42)(a) *Training Provider:* General Physics Corp.

Address: 8700 Alexander Bell Dr., Columbia, MD 21046, Contact: Andrew K. Marsh, Phone: (301) 290-2300.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/6/89).

Contractor/Supervisor (contingent from 4/6/89).

(43)(a) *Training Provider:* Genty Associates.

Address: 6080 Woodland Ave., Philadelphia, PA 19143, Contact: Frank Genty, Phone: (215) 727-4420.

(b) *Approved Course:*

Abatement Worker (contingent from 9/14/89).

(44)(a) *Training Provider:* Gerald T. Fenton, Inc.

Address: 3152 Bladensburg Rd., Washington, DC 20018, Contact: James R. Foster, Phone: (202) 269-2112.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/15/88).

Contractor/Supervisor (contingent from 12/15/88).

(45)(a) *Training Provider:* Hazard Abatement Training Center.

Address: 101 East Lancaster Ave., Wayne, PA 19087, Contact: Robert Mautner, Phone: (215) 971-0830.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 4/12/88).

(46)(a) *Training Provider:* Hazardous Materials Management.

Address: 932 West Patipso Ave., Baltimore, MD 21230, Contact: Anthony Bizzari, Phone: (301) 355-6586.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 12/11/89).

(47)(a) *Training Provider:* Heat & Frost Insulators & Asbestos Workers Local Union No. 2.

Address: P.O. Box 595, Moon-Clinton Rd., Clinton, PA 15026, Contact: Terry Larkin, Phone: (412) 695-2883.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/28/88).

Abatement Worker (full from 10/27/88).

Abatement Worker Refresher Course (contingent from 9/28/88).

Abatement Worker Refresher Course (full from 12/8/88).

Contractor/Supervisor (contingent from 9/28/88).

Contractor/Supervisor (full from 8/28/89).

Contractor/Supervisor Refresher Course (contingent from 9/28/88).

Contractor/Supervisor Refresher Course (full from 8/3/89).

(48)(a) *Training Provider:* Heat & Frost Insulators & Asbestos Workers Local Union No. 23.

Address: 42 Lynwood Dr., Rd. 4, Allentown, PA 18103, Contact: Jos Klocek, Phone: (717) 564-7563.

(b) *Approved Course:*

Abatement Worker (contingent from 10/20/88).

(49)(a) *Training Provider:* Ind. Tra. Co. Ltd.

Address: 18 South 22nd St., Richmond, VA 23223-7024, Contact: Vera Barley, Phone: (804) 648-7836.

(b) *Approved Courses:*

Abatement Worker (full from 9/15/87).

Abatement Worker Refresher Course (contingent from 8/12/88).

Contractor/Supervisor (full from 9/15/87).

Inspector/Management Planner (full from 9/16/88).

Inspector/Management Planner Refresher Course (full from 3/1/89).

(50)(a) *Training Provider:* International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 38.

Address: 315 - 317 North Washington St., Wilkes-Barre, PA 18703, Contact: Robert Hughes, Phone: (717) 829-0634.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Abatement Worker (full from 3/20/90).

(51)(a) *Training Provider:* JMR Associates.

Address: P.O. Box 9895, Philadelphia, PA 19140, Contact: Joseph Faulk, III, Phone: (215) 227-3035.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/24/89).

Abatement Worker (full from 9/15/89).

Contractor/Supervisor (contingent from 8/24/89).

Contractor/Supervisor (full from 9/15/89).

(52)(a) *Training Provider:* Jenkins Professionals, Inc.

Address: 5022 Campbell Blvd., Suite F, Baltimore, MD 21236, Contact: Larry Jenkins, Phone: (301) 529-3553.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/10/88).

Abatement Worker Refresher Course (contingent from 3/2/89).

Contractor/Supervisor (contingent from 2/10/88).

Contractor/Supervisor Refresher Course (contingent from 3/2/89).

Inspector/Management Planner (contingent from 11/1/89).

(53)(a) *Training Provider:* Laborers District Council Training Fund of Baltimore & Vicinity.

Address: 7400 Buttercup Rd., Sykesville, MD 21784, Contact: Robert Williams, Phone: (301) 549-1800.

(b) *Approved Course:*

Abatement Worker (contingent from 4/10/89).

(54)(a) *Training Provider:* Laborers District Council of Eastern Pennsylvania.

Address: 2163 Berryhill St., Harrisburg, PA 17104, Contact: Gerald D. Temarantz, Phone: (717) 564-2707.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/17/88).

Abatement Worker (full from 1/30/89).

Abatement Worker Refresher Course (contingent from 8/17/89).

Abatement Worker Refresher Course (full from 3/20/90).

(55)(a) *Training Provider:* Laborers District Council of Western Pennsylvania.

Address: 1101 Fifth Ave., Pittsburgh, PA 15219, Contact: Robert F. Ferrari, Phone: (412) 391-8533.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/17/88).

Abatement Worker (full from 10/31/88).

Abatement Worker Refresher Course (contingent from 3/2/89).

Contractor/Supervisor (contingent from 6/17/88).

Contractor/Supervisor (full from 10/31/88).

Contractor/Supervisor Refresher Course (contingent from 8/17/89).

(56)(a) *Training Provider:* Laborers District Council, Education Training Fund of Philadelphia & Vicinity.

Address: 500 Lancaster Ave., Exton, PA 19341, Contact: Jerry Roseman, Phone: (215) 836-1175.

(b) *Approved Courses:*

Abatement Worker (interim from 11/1/87 to 12/14/87).

Abatement Worker (contingent from 2/18/88).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

(57)(a) *Training Provider:* Marcus Environmental.

Address: 6345 Courthouse Rd., P.O. Box 227, Prince George, VA 23875, Contact: Susan M. Wilcox, Phone: (804) 733-1855.

(b) Approved Courses:

Abatement Worker (contingent from 1/26/89).
Contractor/Supervisor (contingent from 1/26/89).

(58)(a) *Training Provider:* Maryland Department of the Environment.
Address: 2500 Broening Hwy., Baltimore, MD 21224, Contact: Barbara Conrad, Phone: (301) 631-3847.

(b) Approved Courses:

Abatement Worker (contingent from 11/16/89).
Contractor/Supervisor (contingent from 11/16/89).

(59)(a) *Training Provider:* Maryland Industrial Safety Training Services.
Address: 668 Shore Dr., Joppa, MD 21085, Contact: Brain Stewart, Phone: (301) 679-9362.

(b) Approved Courses:

Abatement Worker (contingent from 12/11/89).
Contractor/Supervisor (contingent from 12/11/89).

(60)(a) *Training Provider:* Medical College of Virginia, Virginia Commonwealth University Dept. of Preventive Medicine.

Address: P.O. Box 212, Richmond, VA 23298, Contact: Leonard Vance, Phone: (804) 786-9785.

(b) Approved Courses:

Contractor/Supervisor (contingent from 10/2/87).
Contractor/Supervisor (full from 11/2/87).

Contractor/Supervisor Refresher Course (contingent from 8/12/88).

Inspector/Management Planner (full from 2/29/88).

Inspector/Management Planner Refresher Course (contingent from 12/29/88).

(61)(a) *Training Provider:* National Association of Minority Contractors.

Address: 806 15th St., NW., Washington, DC 20012, Contact: Ralph C. Thomas, III, Phone: (202) 347-8259.

(b) Approved Courses:

Abatement Worker (contingent from 4/19/89).

Contractor/Supervisor (contingent from 4/19/89).

(62)(a) *Training Provider:* National Training Fund/Workers Institute for Safety & Health (WISH).

Address: 1126 16th St., NW., Washington, DC 20036, Contact: Scott Schneider, Phone: (202) 887-1980.

(b) Approved Courses:

Abatement Worker (interim from 11/1/86 to 8/1/87).

Abatement Worker (contingent from 9/18/87).

Abatement Worker (full from 9/18/87).
Abatement Worker Refresher Course (contingent from 12/29/88).

Contractor/Supervisor (interim from 11/1/86 to 8/1/87).

Contractor/Supervisor (contingent from 9/18/87).

Contractor/Supervisor (full from 9/18/87).

Contractor/Supervisor Refresher Course (contingent from 5/18/89).

Inspector (contingent from 5/26/88).

(63)(a) *Training Provider:*

Occupational Medical Center.

Address: 4451 Parliament Pl., Lanham, MD 20706, Contact: Ellen Kite, Phone: (301) 306-0632.

(b) Approved Courses:

Abatement Worker (contingent from 9/28/88).

Abatement Worker Refresher Course (contingent from 12/13/89).

Contractor/Supervisor (contingent from 9/25/89).

Contractor/Supervisor Refresher Course (contingent from 12/13/89).

(64)(a) *Training Provider:* Old Dominion University, Office of Continuing Education, College of Health Services.

Address: 204 Old Science Building, Norfolk, VA 23529-0290, Contact: Shirley Glover, Phone: (804) 440-4256.

(b) Approved Courses:

Abatement Worker (contingent from 6/30/88).

Abatement Worker (full from 7/27/88).

(65)(a) *Training Provider:* Oneil M. Banks, Inc.

Address: 336 South Main St., Bel Air, MD 21014, Contact: Oneil M. Banks, Phone: (301) 879-4676.

(b) Approved Courses:

Abatement Worker (contingent from 1/5/88).

Abatement Worker (full from 2/20/89).

Abatement Worker Refresher Course (contingent from 10/12/89).

Contractor/Supervisor (contingent from 1/5/88).

Contractor/Supervisor Refresher Course (contingent from 10/12/89).

Inspector (contingent from 3/14/88).

(66)(a) *Training Provider:* Paskal Environmental Services.

Address: 6010 Sonoma Rd., Bethesda, MD 20817, Contact: Steve Paskal, Phone: (301) 571-1507.

(b) Approved Course:

Abatement Worker (contingent from 4/28/88).

(67)(a) *Training Provider:* Pennsylvania Dept. of Welfare.

Address: Room 103 Capitol Associates Bldg., P.O. Box 2675, Harrisburg, PA

17105, Contact: Gerald A. Donatucci, Phone: (717) 783-9543.

(b) Approved Courses:

Abatement Worker (contingent from 8/3/88).

Abatement Worker (full from 11/15/88).

Abatement Worker Refresher Course (contingent from 8/17/89).

Abatement Worker Refresher Course (full from 12/14/89).

(68)(a) *Training Provider:* Philadelphia Electric Co.

Address: Barbados Training Center, Norristown, PA 19401, Contact: John J. Stankiewicz, Phone: (215) 270-8600.

(b) Approved Courses:

Abatement Worker (contingent from 9/19/88).

Abatement Worker (full from 7/28/89).

Abatement Worker Refresher Course (contingent from 2/24/89).

Abatement Worker Refresher Course (full from 11/15/89).

(69)(a) *Training Provider:* Phoenix Safety Associates, Ltd.

Address: P.O. Box 545, Phoenixville, PA 19460, Contact: Janice Sharkey, Phone: (215) 935-1770.

(b) Approved Course:

Inspector/Management Planner (contingent from 9/1/88).

(70)(a) *Training Provider:* Quality Specialties, Inc.

Address: P.O. Box 46, 109 South 15th Ave., Hopewell, VA 23860, Contact: Lewis Stevenson, Phone: (804) 458-5855.

(b) Approved Course:

Abatement Worker (contingent from 8/8/88).

(71)(a) *Training Provider:* RCW Environmental Consulting & Training.

Address: 711 Shetland St., Rockville, MD 20851, Contact: Robert C. Wyatt, Phone: (301) 251-0291.

(b) Approved Courses:

Abatement Worker (contingent from 8/1/89).

Contractor/Supervisor (contingent from 8/1/89).

Inspector/Management Planner (contingent from 11/1/89).

(72)(a) *Training Provider:* Roofer Local No. 30/Roofing & Sheet Metal Contractors of Philadelphia & Vicinity Joint Apprentice Program.

Address: 433 Kelly Dr., Philadelphia, PA 19129, Contact: Richard Harvey, Phone: (215) 849-4800.

(b) Approved Courses:

Abatement Worker (contingent from 7/21/89).

- Contractor/Supervisor (contingent from 7/21/89).
(73)(a) *Training Provider*: S.G. Brown, Inc.
Address: 2701 Sonic Dr., Virginia Beach, VA 23456, Contact: Sandra A. Akers, Phone: (804) 468-0027.
(b) *Approved Course*:
Abatement Worker (contingent from 7/12/88).
(74)(a) *Training Provider*: STI, Inc.
Address: P.O. Box 1029, Aberdeen, MD 21001, Contact: Terry F. Carraway, Jr., Phone: (301) 575-7844.
(b) *Approved Courses*:
Abatement Worker (contingent from 7/19/88).
Abatement Worker Refresher Course (contingent from 12/29/88).
Contractor/Supervisor (contingent from 7/19/88).
Contractor/Supervisor Refresher Course (contingent from 12/29/88).
Inspector/Management Planner (contingent from 12/15/88).
Inspector/Management Planner Refresher Course (contingent from 10/30/89).
(75)(a) *Training Provider*: STIC Corporation.
Address: Box 347, Wilkes-Barre, PA 18703, Contact: Ed Barrett, Phone: (717) 829-3614.
(b) *Approved Course*:
Contractor/Supervisor (contingent from 4/7/89).
(76)(a) *Training Provider*: Safety Management Institute.
Address: P.O. Box 1844, Altoona, PA 16603, Contact: Christopher Tate, Phone: (814) 946-1221.
(b) *Approved Courses*:
Abatement Worker (**Approval Suspended** 10/2/89).
Abatement Worker Refresher Course (**Approval Suspended** 10/2/89).
Contractor/Supervisor (**Approval Suspended** 10/2/89).
Contractor/Supervisor Refresher Course (**Approval Suspended** 10/2/89).
Inspector/Management Planner (**Approval Suspended** 10/2/89).
Inspector/Management Planner Refresher Course (**Approval Suspended** 10/2/89).
(77)(a) *Training Provider*: Schneider Engineers.
Address: 98 Vanadium Rd., Bridgeville, PA 15017, Contact: Amy Couch Shultz, Phone: (412) 221-1100.
(b) *Approved Courses*:
Abatement Worker (contingent from 2/22/89).
Abatement Worker Refresher Course (contingent from 4/20/89).
- Contractor/Supervisor (contingent from 2/22/89).
Contractor/Supervisor Refresher Course (contingent from 4/20/89).
Inspector/Management Planner (contingent from 2/22/89).
Inspector/Management Planner Refresher Course (contingent from 4/20/89).
(78)(a) *Training Provider*: Temple University College of Engineering Asbestos Abatement Center.
Address: 12th & Norris Sts., Philadelphia, PA 19122, Contact: Lester Levin, Phone: (215) 787-6479.
(b) *Approved Courses*:
Abatement Worker (full from 10/21/87).
Contractor/Supervisor (contingent from 9/28/87).
Contractor/Supervisor (full from 10/1/87).
Inspector/Management Planner (full from 10/13/87).
Inspector/Management Planner Refresher Course (full from 12/19/88).
Project Designer (contingent from 3/20/89).
(79)(a) *Training Provider*: Tetra Services, Inc.
Address: Pleasant Valley Rd., P.O. Box 295A, Trafford, PA 15085, Contact: Dominic R. Medure, Phone: (412) 744-3377.
(b) *Approved Course*:
Abatement Worker (contingent from 4/20/89).
(80)(a) *Training Provider*: The Glaser Co.
Address: 200 Kanawha Ter., St. Albans, WV 25177, Contact: Stephen P. Glaser, Phone: (304) 722-2832.
(b) *Approved Courses*:
Abatement Worker (contingent from 4/6/89).
Contractor/Supervisor (contingent from 4/6/89).
(81)(a) *Training Provider*: The J.O.B.S. Company.
Address: P.O. Box 3763, Charleston, WV 25337, Contact: Ann Hyre, Phone: (304) 344-0048.
(b) *Approved Courses*:
Abatement Worker (contingent from 5/28/89).
Abatement Worker (full from 2/14/90).
Contractor/Supervisor (contingent from 5/25/89).
(82)(a) *Training Provider*: Tracor Jitco, Inc.
Address: 1601 Research Blvd., Rockville, MD 20850, Contact: Daniel O. Chute, Phone: (301) 984-2718.
(b) *Approved Courses*:
Abatement Worker (contingent from 1/4/89).
- Contractor/Supervisor (contingent from 1/4/89).
Inspector/Management Planner (contingent from 1/4/89).
(83)(a) *Training Provider*: United Brotherhood of Carpenters & Joiners of America.
Address: 101 Constitution Ave. NW., Washington, DC 20001, Contact: Joseph L. Durst, Jr., Phone: (202) 546-6206.
(b) *Approved Courses*:
Abatement Worker (contingent from 12/11/89).
Abatement Worker Refresher Course (contingent from 3/21/90).
Contractor/Supervisor (contingent from 12/11/89).
Contractor/Supervisor Refresher Course (contingent from 3/21/90).
(84)(a) *Training Provider*: United Environmental Systems, Inc.
Address: 104-106 Arch St., Philadelphia, PA 19106, Contact: Holly Tate, Phone: (215) 829-9454.
(b) *Approved Courses*:
Abatement Worker (contingent from 8/3/88).
Abatement Worker (full from 9/25/89).
Abatement Worker Refresher Course (contingent from 1/30/90).
Contractor/Supervisor (contingent from 6/30/88).
Inspector/Management Planner (contingent from 7/8/88).
(85)(a) *Training Provider*: University of Pittsburgh, Graduate School of Public Health.
Address: Dept. of Industrial Environmental, Health Sciences, Pittsburgh, PA 15261, Contact: Dietrich A. Weyel, Phone: (412) 624-3042.
(b) *Approved Courses*:
Abatement Worker (contingent from 3/6/88).
Abatement Worker (full from 6/6/88).
Abatement Worker Refresher Course (contingent from 4/20/89).
Contractor/Supervisor (contingent from 3/6/88).
Contractor/Supervisor (full from 6/6/88).
Contractor/Supervisor Refresher Course (contingent from 4/20/89).
(86)(a) *Training Provider*: University of Scranton Technology Center.
Address: Scranton, PA 18510-2192, Contact: Jerome P. De Santo, Phone: (717) 961-4050.
(b) *Approved Course*:
Inspector/Management Planner (contingent from 6/26/89).
(87)(a) *Training Provider*: Volz Environmental Services, Inc.

Address: 3010 William Pitt Way,
Pittsburgh, PA 15238, Contact: Greg
Ashman, Phone: (412) 826-3150.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/3/88).

Abatement Worker (full from 1/23/89).

Abatement Worker Refresher Course
(contingent from 4/20/89).

Abatement Worker Refresher Course
(full from 11/21/89).

Contractor/Supervisor (contingent from 10/3/88).

Contractor/Supervisor (full from 1/23/89).

Contractor/Supervisor Refresher Course
(contingent from 4/20/89).

Contractor/Supervisor Refresher Course
(full from 11/21/89).

Inspector/Management Planner
(contingent from 10/3/88).

Inspector/Management Planner
Refresher Course (contingent from 4/20/89).

Inspector/Management Planner
Refresher Course (full from 12/18/89).

Project Designer (contingent from 9/1/89).

Project Designer (full from 12/8/89).

Project Designer Refresher Course
(contingent from 12/13/89).

(88)(a) *Training Provider:* W.S. Keyes
Associates.

Address: 55 Frazer Rd., Bech 232,
Malvern, PA 19355, Contact: W. Scot
Keyes, Phone: (215) 647-2878.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/25/90).

Contractor/Supervisor (contingent from 1/25/90).

Inspector/Management Planner
(contingent from 1/25/90).

(89)(a) *Training Provider:* Waco, Inc.

Address: Highway 925, N., P.O. Box 740,
White Plains, MD 20695, Contact:
Wayne Cooper, Phone: (301) 843-2488.

(b) *Approved Courses:*

Abatement Worker (full from 9/15/87).

Abatement Worker Refresher Course
(contingent from 8/12/88).

Contractor/Supervisor (full from 9/15/87).

Contractor/Supervisor Refresher Course
(contingent from 3/1/89).

Inspector/Management Planner
Refresher Course (contingent from 3/11/88).

(90)(a) *Training Provider:* West
Virginia Laborers Training Trust Fund.

Address: One Monogalia St., Charleston,
WV 25302, Contact: Wetzel Harvey,
Phone: (304) 346-0581.

(b) *Approved Course:*

Abatement Worker (contingent from 8/29/88).

(91)(a) *Training Provider:* West
Virginia University Extension Service.

Address: 704 Knapp Hall, P.O. Box 6031,
Morgantown, WV 26506-6031,
Contact: Robert L. Moore, Phone: (304)
293-4013.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/20/88).

Abatement Worker Refresher Course
(contingent from 11/2/89).

Contractor/Supervisor (contingent from 10/20/88).

Contractor/Supervisor Refresher Course
(contingent from 11/2/89).

Inspector/Management Planner
(contingent from 5/9/88).

Inspector/Management Planner
Refresher Course (contingent from 4/20/89).

Inspector/Management Planner
Refresher Course (full from 4/26/89).

(92)(a) *Training Provider:* White Lung
Association.

Address: 1114 Cathedral St., Baltimore,
MD 21201, Contact: James Fite, Phone:
(301) 727-6029.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/18/88).

Abatement Worker (full from 6/6/88).

Abatement Worker Refresher Course
(contingent from 2/23/89).

Contractor/Supervisor (contingent from 2/18/88).

Contractor/Supervisor (full from 6/6/88).

Contractor/Supervisor Refresher Course
(contingent from 2/23/89).

Inspector/Management Planner
(contingent from 1/4/88).

Inspector/Management Planner (full
from 2/15/88).

Inspector/Management Planner
Refresher Course (contingent from 12/29/88).

(93)(a) *Training Provider:* William L.
James Enterprises, Inc.

Address: P.O. Box 1478, Scranton, PA
18501-1478, Contact: William L. James,
Phone: (717) 344-5830.

(b) *Approved Courses:*

Abatement Worker Refresher Course
(contingent from 11/7/89).

Contractor/Supervisor (contingent from 4/20/88).

Contractor/Supervisor Refresher Course
(contingent from 11/7/87).

REGION IV -- Atlanta, GA

Regional Asbestos Coordinator: Liz
Wilde, EPA, Region IV, 345 Courtland
St., NE, Atlanta, GA 30365. (404) 347-
5014, (FTS) 257-5014.

List of Approved Courses: The
following training courses have been

approved by EPA. The courses are listed
under (b). This approval is subject to the
level of certification indicated after the
course name. Training Providers are
listed in alphabetical order and do not
reflect a prioritization. Approvals for
Region IV training courses and contact
points for each, are as follows:

(1)(a) *Training Provider:* A.S.C.
Consultants, Inc.

Address: P.O. Box 31, Waynesville, NC
28786, Contact: Terry LaDuke, Phone:
(704) 452-3449.

(b) *Approved Course:*

Abatement Worker (contingent from 6/22/89).

(2)(a) *Training Provider:* AHP
Research, Inc.

Address: 1505 Johnson's Ferry Rd.,
Marietta, GA 30062, Contact: Dwight
Brown, Phone: (404) 565-0061.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).

Contractor/Supervisor (contingent from 11/13/89).

Contractor/Supervisor Refresher Course
(contingent from 1/6/89).

Inspector/Management Planner (interim
from 5/28/86 to 12/13/87).

Inspector/Management Planner (full
from 12/14/87).

(3)(a) *Training Provider:* ARI Institute.

Address: P.O. Box 60599, Nashville, TN
37206, Contact: Mike Carver, Phone:
(615) 228-3820.

(b) *Approved Course:*

Abatement Worker (contingent from 12/6/89).

(4)(a) *Training Provider:* ATEC
Associates, Inc.

Address: 129 West Valley Ave.,
Birmingham, AL 35209-3691, Contact:
W. David Yates, Phone: (205) 945-9224.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/14/89).

Contractor/Supervisor (contingent from 4/14/89).

Inspector/Management Planner
(contingent from 4/14/89).

(5)(a) *Training Provider:* ATI
Environmental Services.

Address: P.O. Box 3044, Louisville, KY
40201, Contact: Tim Ellis, Phone: (502)
589-5308.

(b) *Approved Courses:*

Abatement Worker (full from 1/12/88).

Abatement Worker Refresher Course
(contingent from 2/21/89).

Contractor/Supervisor (full from 1/12/88).

Contractor/Supervisor Refresher Course
(contingent from 2/21/89).

(6)(a) *Training Provider:* All Gulf Contractors, Inc.
Address: 3654 Halls Mill Rd., Mobile, AL 36693, Contact: Robert Pettie, Phone: (205) 665-5199.

(b) *Approved Course:*
Abatement Worker (contingent from 2/22/89).

(7)(a) *Training Provider:* American Environmental Safety Institute.
Address: P.O. Box 212116, Columbia, SC 29221-2116, Contact: Kim Cleveland, Phone: (803) 731-2986.

(b) *Approved Courses:*
Abatement Worker (contingent from 1/29/89).
Abatement Worker Refresher Course (contingent from 12/16/88).
Contractor/Supervisor (full from 10/17/88).
Contractor/Supervisor Refresher Course (contingent from 12/16/88).
Inspector/Management Planner (full from 2/8/89).

(8)(a) *Training Provider:* Asbestos Abatement Associates, Inc.
Address: P.O. Box 8178, Spartanburg, SC 29305, Contact: John McNamara, Phone: (803) 582-1222.

(b) *Approved Courses:*
Abatement Worker (contingent from 2/17/89).
Abatement Worker (full from 6/26/89).
Abatement Worker Refresher Course (contingent from 5/1/89).
Abatement Worker Refresher Course (full from 7/19/89).
Contractor/Supervisor (contingent from 3/7/89).
Contractor/Supervisor (full from 7/19/89).
Contractor/Supervisor Refresher Course (contingent from 5/1/89).
Contractor/Supervisor Refresher Course (full from 7/19/89).
Inspector/Management Planner Refresher Course (contingent from 5/1/89).
Inspector/Management Planner Refresher Course (full from 7/31/89).
Project Designer (contingent from 11/14/89).
Project Designer (full from 1/12/90).
Project Designer Refresher Course (contingent from 10/18/89).
Project Designer Refresher Course (full from 11/21/89).

(9)(a) *Training Provider:* Asbestos Consultants, Inc.
Address: P.O. Box 9054, Greensboro, NC 27408, Contact: Thomas Petty, Phone: (919) 275-3907.

(b) *Approved Course:*
Inspector/Management Planner (contingent from 3/9/88).

(10)(a) *Training Provider:* Asbestos Disease Association.

Address: 800 West Platt St., Tampa, FL 33706, Contact: John D. Householter, Phone: (813) 254-0003.

(b) *Approved Courses:*
Contractor/Supervisor (contingent from 12/11/89).

Inspector/Management Planner (contingent from 12/11/89).

(11)(a) *Training Provider:* Asbestos Technical Resource Center, Inc.
Address: P.O. Box 2755, Covington, GA 30209-2755, Contact: Timothy E. Fuller, Phone: (404) 361-9182.

(b) *Approved Courses:*
Abatement Worker (contingent from 6/2/89).
Abatement Worker Refresher Course (full from 6/7/89).
Contractor/Supervisor (contingent from 6/2/89).
Contractor/Supervisor (full from 8/10/89).
Contractor/Supervisor Refresher Course (full from 6/7/89).

(12)(a) *Training Provider:* Atlantic Environmental Consulting, Inc.
Address: 12200 Southwest 132 Ct., Miami, FL 33186, Contact: Stephan R. Schanemann, Phone: (305) 232-6364.

(b) *Approved Course:*
Abatement Worker (contingent from 8/11/88).
(13)(a) *Training Provider:* BCM Engineers, Inc.

Address: 104 St. Anthony St., P.O. Box 1784, Mobile, AL 36633, Contact: Paul Klotz, Phone: (205) 433-3981.

(b) *Approved Courses:*
Inspector/Management Planner (full from 11/11/87).
Inspector/Management Planner Refresher Course (contingent from 11/10/88).
Project Designer (full from 12/8/87).
Project Designer Refresher Course (contingent from 5/4/89).

(14)(a) *Training Provider:* Betchel Construction, Inc.
Address: P.O. Box 3218, Florida City, FL 33034, Contact: R.C. Slover, Phone: (305) 246-6565.

(b) *Approved Course:*
Abatement Worker (contingent from 3/13/89).

(15)(a) *Training Provider:* Big Bend Abatement, Inc.
Address: 3542 West Orange Ave., Tallahassee, FL 32310, Contact: Robert Law, Phone: (904) 576-0130.

(b) *Approved Course:*
Abatement Worker (contingent from 4/28/89).

(16)(a) *Training Provider:* Briggs Associates Int'l. Inc.

Address: 4209 Vineland Rd., Suites J-9/10, Orlando, FL 32811, Contact: Jim McCulloch, Phone: (407) 422-3522.

(b) *Approved Course:*
Abatement Worker (contingent from 5/4/89).

(17)(a) *Training Provider:* CRU Incorporated.
Address: 13029 Middletown Industrial Blvd., Louisville, KY 40223, Contact: Donna Ringo, Phone: (502) 244-8844.

(b) *Approved Courses:*
Abatement Worker (contingent from 5/1/89).
Contractor/Supervisor (contingent from 5/1/89).
Contractor/Supervisor Refresher Course (contingent from 9/1/89).
Inspector/Management Planner (contingent from 5/26/89).

(18)(a) *Training Provider:* Chemalytics.
Address: 33 East 7th St., Covington, KY 41011, Contact: Kenneth Reed, Phone: (606) 431-6224.

(b) *Approved Course:*
Abatement Worker (contingent from 1/17/90).

(19)(a) *Training Provider:* DPC General Contractors, Inc.
Address: 250 Arizona Ave., NE., Bldg. A, Atlanta, GA 30307, Contact: Glen Kahler, Phone: (404) 373-0561.

(b) *Approved Courses:*
Abatement Worker (contingent from 4/5/88).
Abatement Worker (full from 5/9/88).

(20)(a) *Training Provider:* Diversified Industries, Inc.
Address: P.O. Box 10452, 7316 Market St., Wilmington, NC 28405, Contact: Greg Hale, Phone: (919) 688-1736.

(b) *Approved Courses:*
Abatement Worker (contingent from 1/23/90).
Abatement Worker Refresher Course (contingent from 12/13/89).
Contractor/Supervisor (contingent from 1/23/90).
Contractor/Supervisor Refresher Course (contingent from 12/13/89).

(21)(a) *Training Provider:* EEC, Inc.
Address: 2245 North Hills Dr., Suite J, Raleigh, NC 27612, Contact: Mike Shrimanker, Phone: (919) 672-8910.

(b) *Approved Courses:*
Abatement Worker (contingent from 6/7/89).
Abatement Worker (full from 11/16/89).
Abatement Worker Refresher Course (contingent from 5/3/89).
Contractor/Supervisor (contingent from 7/14/89).

- Contractor/Supervisor Refresher Course (contingent from 9/28/89).
(22)(a) *Training Provider:* ELB & Associates, Inc.
Address: 605 Eastowne Dr., Chapel Hill, NC 27514, Contact: Michael L. Cannon, Phone: (919) 493-4471.
(b) *Approved Course:*
Abatement Worker (contingent from 6/30/88).
(23)(a) *Training Provider:* Eagle Environmental Laboratory.
Address: 1119 Ellard Rd., Fultondale, AL 35068, Contact: Mark Cambren, Phone: (205) 841-7693.
(b) *Approved Course:*
Abatement Worker (contingent from 11/14/89).
(24)(a) *Training Provider:* Energy Support Services, Inc.
Address: P.O. Box 6098, Ashville, NC 28816, Contact: Edward T. Rochelle, Phone: (704) 258-8888.
(b) *Approved Courses:*
Abatement Worker (contingent from 11/7/89).
Abatement Worker Refresher Course (contingent from 11/8/89).
Contractor/Supervisor (contingent from 11/7/89).
Contractor/Supervisor Refresher Course (contingent from 11/8/89).
Inspector/Management Planner (contingent from 3/5/89).
Inspector/Management Planner Refresher Course (contingent from 11/8/89).
(25)(a) *Training Provider:* Enpuricon Asbestos Management.
Address: 6308 - D Angus Dr., Raleigh, NC 27613, Contact: Terry E. Slate, Phone: (919) 781-0886.
(b) *Approved Courses:*
Abatement Worker (contingent from 1/11/89).
Contractor/Supervisor (contingent from 2/6/89).
(26)(a) *Training Provider:* Enviro Science, Inc.
Address: P.O. Box 5804, Spartanburg, SC 29304, Contact: Andrew Schauder, Phone: (803) 585-4900.
(b) *Approved Course:*
Inspector/Management Planner (contingent from 9/15/89).
(27)(a) *Training Provider:* Enviro-Tech.
Address: 550 Comet St., No. 16, P.O. Box 6752, Jacksonville, FL 32236, Contact: Rafael Abrev, Phone: (904) 384-0732.
(b) *Approved Courses:*
Abatement Worker (contingent from 4/28/89 to 4/10/90 only).
Contractor/Supervisor (disapproved since 4/10/90).
(28)(a) *Training Provider:* Environmental Aspects, Inc.
Address: 1527 North Dale Mabry Hwy., Suite 105, Lutz, FL 33549-3010, Contact: Dennis L. Mast, Phone: (813) 948-1387.
(b) *Approved Courses:*
Abatement Worker (contingent from 2/22/89).
Abatement Worker (full from 7/7/89).
Abatement Worker Refresher Course (contingent from 7/18/89).
Contractor/Supervisor (contingent from 4/14/89).
Contractor/Supervisor Refresher Course (contingent from 10/20/89).
Inspector/Management Planner (contingent from 7/7/89).
Inspector/Management Planner Refresher Course (contingent from 10/20/89).
(29)(a) *Training Provider:* Environmental Control Systems Training Institute.
Address: 2720 Frankfort Ave., Louisville, KY 40206, Contact: William A. Sadler, Phone: (502) 896-1245.
(b) *Approved Courses:*
Contractor/Supervisor (contingent from 8/10/89).
Inspector/Management Planner (contingent from 11/6/89).
(30)(a) *Training Provider:* Environmental Engineering Co., Inc.
Address: 500 Rivermont Rd., Columbia, SC 29210, Contact: Russell Richard, Phone: (803) 256-7846.
(b) *Approved Courses:*
Abatement Worker (contingent from 2/17/89).
Abatement Worker (full from 9/22/89).
Abatement Worker Refresher Course (contingent from 9/28/89).
Contractor/Supervisor (contingent from 2/17/89).
Contractor/Supervisor (full from 9/22/89).
Contractor/Supervisor Refresher Course (contingent from 9/28/89).
(31)(a) *Training Provider:* Environmental Resources Group.
Address: 3845 Viscount, Memphis, TN 38118, Contact: Lee C. Thompson, Phone: (901) 795-0432.
(b) *Approved Course:*
Abatement Worker (contingent from 11/14/88).
(32)(a) *Training Provider:* Environmental Resources, Inc.
Address: P.O. Box 1462, Anderson, SC 29622, Contact: John G. Senn, Phone: (803) 226-5834.
(b) *Approved Courses:*
Abatement Worker (contingent from 10/13/89).
Abatement Worker Refresher Course (contingent from 10/16/89).
Contractor/Supervisor (contingent from 10/13/89).
Contractor/Supervisor Refresher Course (contingent from 10/16/89).
Inspector/Management Planner (contingent from 10/13/89).
Inspector/Management Planner Refresher Course (contingent from 10/16/89).
Project Designer (contingent from 10/13/89).
Project Designer Refresher Course (contingent from 10/16/89).
(33)(a) *Training Provider:* Environmental Training Corporation.
Address: 2252 Rocky Ridge Rd., Suite 105, Birmingham, AL 35216, Contact: William E. Hicks, Phone: (800) 999-1655.
(b) *Approved Courses:*
Abatement Worker (contingent from 10/31/89).
Contractor/Supervisor (contingent from 11/1/89).
Project Designer (contingent from 10/31/89).
(34)(a) *Training Provider:* Evans Environmental & Geological Science & Management, Inc.
Address: 2631 Southwest 27 St., Miami, FL 33133, Contact: Charles Evans, Phone: (305) 856-7458.
(b) *Approved Course:*
Abatement Worker (contingent from 1/31/89).
(35)(a) *Training Provider:* Fayetteville Technical Community College.
Address: P.O. Box 35236, Fayetteville, NC 28303, Contact: John McNeill, Phone: (919) 323-1961.
(b) *Approved Courses:*
Abatement Worker (contingent from 5/1/89).
Contractor/Supervisor (contingent from 5/1/89).
(36)(a) *Training Provider:* Georgia Tech. Institute.
Address: O'Keefe Building, Room 029, Atlanta, GA 30332, Contact: Robert D. Schmitter, Phone: (404) 894-3806.
(b) *Approved Courses:*
Contractor/Supervisor (interim from 6/1/85 to 5/10/87).
Contractor/Supervisor (full from 5/11/87).
Contractor/Supervisor Refresher Course (contingent from 9/23/87).
Contractor/Supervisor Refresher Course (full from 7/7/88).
Inspector/Management Planner (full from 10/19/87).

Inspector/Management Planner
Refresher Course (contingent from 10/
24/88).

Inspector/Management Planner
Refresher Course (full from 11/29/88).
Project Designer (contingent from 6/1/
88).

Project Designer (full from 6/7/88).

Project Designer Refresher Course
(contingent from 1/31/89).

Project Designer Refresher Course (full
from 3/22/89).

(37)(a) *Training Provider:* Great
Barrier Insulation Co.

Address: Meador Warehouse, Western
Dr., Mobile, AL 36607, Contact:
Thomas Knotts, Phone: (205) 476-0350.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/
13/88).

Abatement Worker (full from 4/4/89).

Abatement Worker Refresher Course
(contingent from 3/30/89).

(38)(a) *Training Provider:* Harmon
Engineering Associates.

Address: 1550 Pumphrey Ave., Auburn,
AL 36830, Contact: Roger W.
Thompson, Phone: (205) 821-9250.

(b) *Approved Course:*

Abatement Worker (contingent from 1/
4/89).

(39)(a) *Training Provider:* Harrison
Contracting, Inc.

Address: 3845 Viscount St., Suite 12,
Memphis, TN 38118, Contact: Lee C.
Thompson, Phone: (901) 795-0432.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
11/88).

Abatement Worker (full from 10/12/88).

(40)(a) *Training Provider:* Howard L.
Henson Training Institute.

Address: 3592 Flat Shoals Rd., Decatur,
GA 30034, Contact: Stephen Henson,
Phone: (404) 243-5107.

(b) *Approved Course:*

Abatement Worker (full from 2/16/88).

(41)(a) *Training Provider:*

International Association Heat & Frost
Insulators & Asbestos Worker Local
Union No. 13.

Address: 145 East First St., Jacksonville,
FL 32206, Contact: Tom Mallard,
Phone: (904) 355-4881.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
23/89).

Abatement Worker Refresher Course
(contingent from 1/23/89).

Contractor/Supervisor (contingent from
1/23/89).

Contractor/Supervisor (full from 4/24/
89).

Contractor/Supervisor Refresher Course
(contingent from 1/23/89).

(42)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 46.

Address: 7111 Wright Rd., Knoxville, TN
37931, Contact: John Wade, Phone:
(615) 938-1274.

(b) *Approved Courses:*

Abatement Worker (full from 10/11/88).

Abatement Worker Refresher Course
(contingent from 8/16/89).

Contractor/Supervisor (full from 1/9/
89).

Contractor/Supervisor Refresher Course
(contingent from 10/11/88).

Contractor/Supervisor Refresher Course
(full from 1/9/89).

(43)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 48.

Address: 7815 Old Morrow Rd., Atlanta,
GA 30316, Contact: Timothy Fuller,
Phone: (404) 478-1393.

(b) *Approved Courses:*

Abatement Worker (full from 5/4/88).

Contractor/Supervisor (full from 6/27/
88).

Contractor/Supervisor Refresher Course
(full from 11/2/88).

Inspector (contingent from 9/26/88).

Inspector (full from 9/28/88).

(44)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 60.

Address: 13000 Northwest 47th Ave.,
Miami, FL 33054, Contact: David
Cleveland, Phone: (305) 681-0679.

(b) *Approved Courses:*

Abatement Worker (full from 11/15/88).

Contractor/Supervisor (full from 12/12/
88).

(45)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 67.

Address: 7930 U.S. Hwy. 301 N., Tampa,
FL 33637, Contact: Don Tucker, Phone:
(813) 985-3067.

(b) *Approved Courses:*

Abatement Worker (full from 8/23/89).

Abatement Worker Refresher Course
(contingent from 11/15/89).

Abatement Worker Refresher Course
(full from 11/29/89).

Contractor/Supervisor (full from 11/29/
88).

Contractor/Supervisor Refresher Course
(contingent from 11/15/89).

Contractor/Supervisor Refresher Course
(full from 11/28/89).

(46)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 72.

Address: 2513 Adams St., Wilmington,
NC 28401, Contact: Mike Harrell,
Phone: (919) 343-1730.

(b) *Approved Course:*

Abatement Worker (full from 8/10/88).

(47)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 78.

Address: 600 Main St., Gardendale, AL
35071, Contact: Bill Boothe, Phone:
(205) 631-4640.

(b) *Approved Courses:*

Abatement Worker (full from 10/25/88).

Contractor/Supervisor (contingent from
12/6/89).

Contractor/Supervisor Refresher Course
(full from 5/17/89).

(48)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 86.

Address: 4822 Charlotte Ave., Nashville,
TN 37209, Contact: Don Cundiff,
Phone: (615) 297-7127.

(b) *Approved Courses:*

Abatement Worker (full from 7/10/89).

Contractor/Supervisor (full from 7/10/
89).

(49)(a) *Training Provider:*

International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 96.

Address: P.O. Box 508, Pooler, GA 31312,
Contact: Mr. Howard Hutcherson,
Phone: (912) 748-6282.

(b) *Approved Courses:*

Abatement Worker (full from 7/26/88).

Abatement Worker Refresher Course
(full from 8/17/89).

Contractor/Supervisor (full from 9/13/
88).

Contractor/Supervisor Refresher Course
(full from 8/17/89).

(50)(a) *Training Provider:* Kentucky

Laborers Training Trust Fund.

Address: US 127 Bypass South, P.O. Box
208, Lawrenceburg, KY 40342, Contact:
David Vinson, Phone: (502) 839-3155.

(b) *Approved Course:*

Abatement Worker (contingent from 1/
10/89).

(51)(a) *Training Provider:* LCI Training
Institute.

Address: 1432 Jocasta Dr., Lexington, KY
40502-5320, Contact: John F.
Summersett, Phone: (606) 273-8881.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
9/88).

Contractor/Supervisor (contingent from
6/9/88).

(52)(a) *Training Provider*: Laborers District Council of Southeast Florida.
Address: 799 Northwest 62nd St., Miami, FL 33510, Contact: Albert Houston, Phone: (305) 754-2659.

(b) *Approved Course*:

Abatement Worker (full from 3/15/88).

(53)(a) *Training Provider*: Laborers Local Union No. 517 North & Central Florida Education & Training Fund.
Address: 4625 Old Wintergarden Rd., Bldg. A-6, Orlando, FL 32811, Contact: Patrick O' Donnell, Phone: (407) 298-3446.

(b) *Approved Courses*:

Abatement Worker (contingent from 9/6/88).

Abatement Worker Refresher Course (contingent from 9/22/89).

(54)(a) *Training Provider*: Lang Engineering of Florida, Inc.
Address: 5432 Commerce Park Blvd., Tampa, FL 33610, Contact: Robert Lang, Phone: (813) 622-8311.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/17/89).

Abatement Worker Refresher Course (contingent from 8/9/89).

(55)(a) *Training Provider*: Laseter & Associates, Inc.

Address: P.O. Box 176, Collierville, TN 38017, Contact: Kenneth M. Laseter, Phone: (800) 456-8617.

(b) *Approved Courses*:

Abatement Worker (contingent from 11/7/89).

Contractor/Supervisor (contingent from 11/7/89).

Inspector/Management Planner (contingent from 11/7/89).

Inspector/Management Planner Refresher Course (contingent from 11/8/89).

(56)(a) *Training Provider*: Law Engineering, Inc.

Address: 7616 Southland Blvd., Suite 110, Orlando, FL 32809, Contact: Diana Rigdon, Phone: (407) 855-8740.

(b) *Approved Courses*:

Abatement Worker (contingent from 9/1/89).

Contractor/Supervisor (contingent from 9/1/89).

(57)(a) *Training Provider*: Mississippi State University, Dept. of Continuing Education.

Address: Memorial Hall-Bar Ave., P.O. Drawer 5247, Mississippi State, MS 39762-5247, Contact: Billy G. Smith, Phone: (601) 325-3473.

(b) *Approved Courses*:

Abatement Worker (contingent from 12/15/88).

Abatement Worker (full from 3/22/90).
Contractor/Supervisor (contingent from 7/19/88).

Contractor/Supervisor (full from 6/29/89).

Contractor/Supervisor Refresher Course (contingent from 5/26/89).

Inspector/Management Planner (full from 6/20/88).

Inspector/Management Planner Refresher Course (contingent from 5/26/89).

Project Designer (contingent from 12/15/88).

Project Designer Refresher Course (contingent from 5/26/89).

(58)(a) *Training Provider*: Mobile Asbestos Resource Services, Inc.

Address: 10 Airport Lane, Archer, FL 32618, Contact: Walter Heope, Phone: (904) 495-9214.

(b) *Approved Course*:

Abatement Worker (contingent from 12/6/89).

(59)(a) *Training Provider*: Mur-Shel, Inc. Asbestos Abatement.

Address: 1038 Grace Ave., Panama City, FL 32401, Contact: Lois Shelton, Phone: (904) 763-2010.

(b) *Approved Course*:

Contractor/Supervisor (contingent from 9/1/89).

(60)(a) *Training Provider*: National Asbestos Council (NAC) Training Dept.
Address: 1777 Northeast Expressway, Suite 150, Atlanta, GA 30329, Contact: Zachary S. Cowan, III, Phone: (404) 633-2622.

(b) *Approved Courses*:

Abatement Worker (interim from 7/1/86 to 6/1/87).

Abatement Worker (full from 7/1/87).

Abatement Worker Refresher Course (contingent from 2/8/89).

(61)(a) *Training Provider*: National Monitoring Labs, Inc.

Address: 1400 North 46th St., Suite V-28, Tampa, FL 33613, Contact: Gil Bakshi, Phone: (800) 347-3414.

(b) *Approved Courses*:

Contractor/Supervisor (contingent from 4/14/89).

Contractor/Supervisor Refresher Course (contingent from 5/23/89).

Inspector/Management Planner (contingent from 4/14/89).

Inspector/Management Planner (full from 1/19/90).

Inspector/Management Planner Refresher Course (contingent from 5/23/89).

(62)(a) *Training Provider*:

Occupational Training Academy, Inc.
Address: 8409 Laurel Fair Circle, Suite 102, Tampa, FL 33610, Contact: John Burke, Phone: (813) 621-5586.

(b) *Approved Course*:

Abatement Worker (contingent from 1/17/90).

(63)(a) *Training Provider*: PDR Engineers, Inc.

Address: 2000 Lindell Ave., Nashville, TN 37203, Contact: Ayaja K. Upaphyaya, Phone: (615) 298-2065.

(b) *Approved Course*:

Inspector (contingent from 9/15/88).

(64)(a) *Training Provider*: Practical Environmental Training Institute.

Address: P.O. Box 26308, Charlotte, NC 28221-6308, Contact: Dianne Christenbery, Phone: (704) 598-9588.

(b) *Approved Courses*:

Abatement Worker (contingent from 10/20/88).

Abatement Worker (full from 10/24/88).

Abatement Worker Refresher Course (contingent from 6/18/89).

Contractor/Supervisor (contingent from 1/17/89).

Contractor/Supervisor (full from 3/20/89).

Contractor/Supervisor Refresher Course (contingent from 6/18/89).

(65)(a) *Training Provider*: Republic Industries, Inc.

Address: P.O. Box 5565, Station 1, Wilmington, NC 28403, Contact: Gerry Phelps, Phone: (919) 799-2664.

(b) *Approved Courses*:

Abatement Worker (contingent from 1/23/89).

Abatement Worker (full from 1/24/90).

Abatement Worker Refresher Course (contingent from 5/5/89).

Contractor/Supervisor (contingent from 9/22/89).

Contractor/Supervisor Refresher Course (contingent from 6/5/89).

(66)(a) *Training Provider*: Retra Services, Inc.

Address: 1730 U.S. Alt. 19 South, Suite H, Tarpon Springs, FL 34689, Contact: Phillip Paroff, Phone: (800) 548-5848.

(b) *Approved Courses*:

Abatement Worker (full from 1/24/89).

Abatement Worker Refresher Course (contingent from 12/29/88).

Abatement Worker Refresher Course (full from 1/24/89).

(67)(a) *Training Provider*: Seagull Environmental Management Asbestos Consulting & Training Systems.

Address: 903 Northwest 6th Ave., Ft. Lauderdale, FL 33311, Contact: James F Stump, Phone: (305) 524-7208.

(b) *Approved Courses*:

Abatement Worker (full from 5/8/88).

Abatement Worker Refresher Course (contingent from 9/22/89).

Contractor/Supervisor (contingent from 2/22/89).

Contractor/Supervisor Refresher Course (contingent from 9/22/89).

Inspector/Management Planner (contingent from 10/30/89).

Inspector/Management Planner Refresher Course (contingent from 11/1/89).

(68)(a) *Training Provider:* Southeast Asbestos Free Environments, Inc.

Address: 350 South Second Ave., P.O. Box 51267, Jacksonville Beach, FL 32250, Contact: Jim Ilardi, Phone: (904) 246-8000.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/15/88).

Contractor/Supervisor (contingent from 1/18/89).

(69)(a) *Training Provider:* Technical Abatement Service, Inc.

Address: 897 East Lemon St., Bartow, FL 33830, Contact: John W. Pevy, Phone: (813) 533-0885.

(b) *Approved Course:*

Abatement Worker (contingent from 6/21/89).

(70)(a) *Training Provider:* Technical Education Resources, Inc.

Address: 2212 Swann Ave., Suite D, Tampa, FL 33606, Contact: Robert Greene, Phone: (813) 251-1095.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/18/89).

Abatement Worker Refresher Course (contingent from 11/14/89).

Contractor/Supervisor (contingent from 11/16/89).

Contractor/Supervisor Refresher Course (contingent from 11/14/89).

Inspector/Management Planner (contingent from 11/16/89).

Inspector/Management Planner Refresher Course (contingent from 11/14/89).

(71)(a) *Training Provider:* Technical Training Institute.

Address: P.O. Box 3156, Anderson, SC 29622, Contact: Otey Reynolds, Phone: (803) 578-0358.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/13/89).

Abatement Worker Refresher Course (contingent from 10/17/89).

Contractor/Supervisor (contingent from 11/13/89).

Contractor/Supervisor Refresher Course (contingent from 10/17/89).

Inspector/Management Planner (contingent from 11/13/89).

Inspector/Management Planner Refresher Course (contingent from 10/17/89).

Project Designer (contingent from 11/13/89).

Project Designer Refresher Course (contingent from 10/17/89).

(72)(a) *Training Provider:* Tennessee Environmental Services.

Address: 1804 Williamson Ct., Brentwood, TN 37027, Contact: Gary J. Lang, Phone: (615) 373-8792.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/26/89).

Abatement Worker Refresher Course (contingent from 11/1/89).

Contractor/Supervisor (contingent from 5/26/89).

Contractor/Supervisor Refresher Course (contingent from 11/1/89).

(73)(a) *Training Provider:* Testwell Craig Labs of Florida, Inc.

Address: 7104 North 51st St., Miami, FL 33166, Contact: George W. Stowell, Phone: (305) 593-0561.

(b) *Approved Course:*

Abatement Worker (contingent from 9/8/89).

(74)(a) *Training Provider:* The Environmental Institute.

Address: COBB Corporate Center/300, 350 Franklin Rd., Marietta, GA 30067, Contact: Eva Clay, Phone: (404) 425-2000.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/10/87).

Abatement Worker (full from 5/2/88).

Contractor/Supervisor (contingent from 12/10/87).

Contractor/Supervisor (full from 2/1/88).

Contractor/Supervisor Refresher Course (full from 5/19/88).

Inspector/Management Planner (contingent from 12/10/87).

Inspector/Management Planner (full from 1/25/88).

Inspector/Management Planner Refresher Course (full from 11/8/88).

Project Designer (contingent from 2/5/88).

Project Designer Refresher Course (contingent from 4/17/89).

Project Designer Refresher Course (full from 4/19/89).

(75)(a) *Training Provider:* University of Alabama, Tuscaloosa College of Continuing Studies.

Address: P.O. Box 870388, Tuscaloosa, AL 35486-0388, Contact: William Weems, Phone: (800) 452-5923.

(b) *Approved Courses:*

Abatement Worker (full from 4/5/88).

Abatement Worker Refresher Course (contingent from 11/13/89).

Contractor/Supervisor (full from 12/14/87).

Contractor/Supervisor Refresher Course (contingent from 11/13/89).

Inspector/Management Planner (full from 5/16/88).

Inspector/Management Planner Refresher Course (contingent from 11/13/89).

(76)(a) *Training Provider:* University of Alabama-Birmingham Deep South Center.

Address: Birmingham, AL 35294, Contact: Elizabeth Lynch, Phone: (205) 934-7032.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 3/21/88).

Inspector/Management Planner (full from 3/21/88).

Inspector/Management Planner Refresher Course (contingent from 3/3/89).

(77)(a) *Training Provider:* University of Florida TREEO Center.

Address: 3900 Southwest 63rd Blvd., Gainesville, FL 32608, Contact: Peggy Cook, Phone: (904) 392-9570.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (interim from 2/9/87 to 4/30/87).

Contractor/Supervisor (full from 5/1/87).

Contractor/Supervisor Refresher Course (contingent from 1/17/89).

Inspector/Management Planner (interim from 1/27/87 to 12/14/87).

Inspector/Management Planner (contingent from 2/5/88).

Inspector/Management Planner (full from 2/15/88).

Inspector/Management Planner Refresher Course (contingent from 10/18/89).

(78)(a) *Training Provider:* University of Kentucky, College of Engineering Continuing Education.

Address: Room 320 CRMS Building, Lexington, KY 40506-0108, Contact: Liz Haden, Phone: (606) 257-3972.

(b) *Approved Courses:*

Abatement Worker Refresher Course (contingent from 3/30/89).

Contractor/Supervisor Refresher Course (contingent from 5/24/89).

Inspector Refresher Course (contingent from 3/3/89).

Inspector/Management Planner (full from 2/15/88).

(79)(a) *Training Provider:* University of North Carolina Occupational Safety & Health Educational Resource Center.

Address: 109 Conner Dr., Suite 1101, Chapel Hill, NC 27514, Contact: Ted Williams, Phone: (919) 962-2101.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/89).

Contractor/Supervisor (contingent from 6/1/88).

Contractor/Supervisor (full from 6/6/88).

Contractor/Supervisor Refresher Course (contingent from 6/7/89).

Inspector/Management Planner (contingent from 11/9/87).

Inspector/Management Planner (full from 11/9/87).

Inspector/Management Planner Refresher Course (contingent from 12/15/88).

Project Designer (contingent from 5/2/89).

Project Designer Refresher Course (contingent from 6/22/89).

(80)(a) *Training Provider:* University of North Florida Division of Continuing Education & Extension Environmental Ed. & Safety Institute.

Address: 4567 St. Johns Bluff Rd., South Jacksonville, FL 32216, Contact: Elaine Puri, Phone: (904) 646-2690.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/89).

Abatement Worker Refresher Course (contingent from 8/25/89).

Contractor/Supervisor (contingent from 9/1/89).

Contractor/Supervisor Refresher Course (contingent from 8/25/89).

Inspector/Management Planner (contingent from 9/1/89).

(81)(a) *Training Provider:* University of South Carolina School of Public Health c/o Azimuth Inc.

Address: 386 St. Andrews Rd., Columbia, SC 29210, Contact: Betty Schnee, Phone: (803) 798-2343.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/9/89).

Abatement Worker (full from 12/7/89).

Contractor/Supervisor (contingent from 5/5/89).

Contractor/Supervisor (full from 8/21/89).

Contractor/Supervisor Refresher Course (contingent from 5/24/89).

Contractor/Supervisor Refresher Course (full from 9/20/89).

(82)(a) *Training Provider:* University of South Carolina Medical MUSC Dept. of Environmental Health.

Address: 171 Ashley Ave., Charleston, SC 29425, Contact: Jan Temple, Phone: (803) 792-5315.

(b) *Approved Courses:*

Abatement Worker (full from 12/19/88).

Abatement Worker Refresher Course (contingent from 2/2/89).

Contractor/Supervisor (full from 3/8/88).

Contractor/Supervisor Refresher Course (contingent from 2/2/89).

Contractor/Supervisor Refresher Course (full from 5/3/89).

Inspector/Management Planner (full from 3/1/88).

Inspector/Management Planner Refresher Course (contingent from 2/2/89).

Inspector/Management Planner Refresher Course (full from 5/2/89).

(83)(a) *Training Provider:* Westinghouse Environmental & Geotechnical Services, Inc.

Address: 3980 Dekalb Technology Parkway, Suite 700, Atlanta, GA 30340, Contact: Robert Dawkins, Phone: (404) 452-1911.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/8/89).

Contractor/Supervisor (contingent from 7/18/89).

Inspector/Management Planner (contingent from 1/3/90).

(84)(a) *Training Provider:* Weston, Inc.

Address: 1635 Pumphrey Ave., Auburn, AL 36830-4303, Contact: Michael Skotnicki, Phone: (205) 826-6100.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/13/88).

Contractor/Supervisor (contingent from 10/13/88).

Contractor/Supervisor (full from 5/15/89).

Contractor/Supervisor Refresher Course (contingent from 1/31/89).

Contractor/Supervisor Refresher Course (full from 9/25/89).

Inspector/Management Planner (contingent from 5/13/88).

Inspector/Management Planner (full from 9/27/89).

Inspector/Management Planner Refresher Course (contingent from 12/15/88).

Inspector/Management Planner Refresher Course (full from 3/17/89).

Project Designer (contingent from 8/23/88).

Project Designer Refresher Course (contingent from 1/31/89).

Project Designer Refresher Course (full from 9/26/89).

(85)(a) *Training Provider:* Williams & Associates, Inc. Environmental Training Center.

Address: 460 Tennessee St., Memphis, TN 38103, Contact: Ruth Williams, Phone: (901) 521-9030.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/18/88).

Abatement Worker (full from 4/18/88).

Abatement Worker Refresher Course (contingent from 5/1/89).

Contractor/Supervisor (contingent from 2/18/88).

Contractor/Supervisor (full from 4/18/88).

Contractor/Supervisor Refresher Course (contingent from 5/1/89).

REGION V -- Chicago, IL

Regional Asbestos Coordinator: Anthony Restaino, EPA, Region V, 230 S. Dearborn St., (5-SPT-7), Chicago, IL 60604. (312) 886-6003, (FTS) 886-6003.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region V training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* Abatement Training Institute, Inc.

Address: P.O. Box 26835, Columbus, OH 43226-0835, Contact: Steven Ritchie, Phone: (614) 267-0908.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

(2)(a) *Training Provider:* Advanced Mechanical Insulation, Inc.

Address: 205 West Randolph St., Suite 1050, Chicago, IL 60606, Contact: Jeffery M. Bertrand, Phone: (312) 704-9494.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/2/89).

(3)(a) *Training Provider:* Affiliated Environmental Services, Inc.

Address: 3606 Venice Rd., Sandusky, OH 44870, Contact: Jack Dauch, Phone: (419) 627-1976.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/14/88).

Abatement Worker (full from 10/24/88).

Abatement Worker Refresher Course (contingent from 2/2/89).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor (full from 2/27/89).

Contractor/Supervisor Refresher Course (contingent from 2/2/89).

Inspector/Management Planner
(contingent from 5/30/89).

(4)(a) *Training Provider:* Alderink & Associates, Inc.

Address: 3221 Three Mile Rd., NW.,
Grand Rapids, MI 49504, Contact:
Deborah C. Alderink, Phone: (616) 791-
0730.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
15/88).

Abatement Worker (full from 9/6/88).

Abatement Worker Refresher Course
(contingent from 9/1/88).

Abatement Worker Refresher Course
(full from 9/6/88).

Contractor/Supervisor (contingent from
7/15/88).

Contractor/Supervisor (full from 9/19/
88).

Contractor/Supervisor Refresher Course
(contingent from 12/1/88).

(5)(a) *Training Provider:* American
Asbestos Institute, Inc. (Formerly Illinois
Asbestos Council).

Address: Box 7416, Springfield, IL 62791,
Contact: Douglas I. Gamble, Phone:
(217) 523-5588.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
29/89).

Abatement Worker (full from 8/14/89).

Abatement Worker Refresher Course
(contingent from 8/31/89).

Contractor/Supervisor (contingent from
3/29/89).

Contractor/Supervisor (full from 8/14/
89).

Contractor/Supervisor Refresher Course
(contingent from 9/11/89).

Inspector/Management Planner
(contingent from 3/29/89).

Inspector/Management Planner
Refresher Course (contingent from 9/
11/89).

Project Designer Refresher Course
(contingent from 9/19/89).

(6)(a) *Training Provider:* American
Environmental Institute.

Address: Main Campus, Plaza West,
Cleveland, OH 44116, Contact: Gary P.
Block, Phone: (216) 333-6225.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
15/88).

Abatement Worker Refresher Course
(contingent from 12/8/88).

Contractor/Supervisor (contingent from
9/1/88).

Contractor/Supervisor Refresher Course
(contingent from 12/6/88).

Inspector/Management Planner
(contingent from 11/14/88).

(7)(a) *Training Provider:* American
Industrial Hygiene Association.

Address: 475 Wolf Ledges Pkwy., Akron,
OH 44311-1087, Contact: Mary Christ,
Phone: (216) 762-7294.

(b) *Approved Course:*

Contractor/Supervisor (contingent from
2/23/89).

(8)(a) *Training Provider:* Applied
Environmental Sciences, Inc.

Address: Minneapolis Business &
Technology, Center, 511 11th Ave. S.,
Minneapolis, MN 55415, Contact:
Franklin H. Dickson, Phone: (612) 339-
5559.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
30/88).

Abatement Worker Refresher Course
(contingent from 3/16/89).

Contractor/Supervisor (contingent from
2/7/89).

Contractor/Supervisor Refresher Course
(contingent from 3/16/89).

Inspector/Management Planner
(contingent from 10/17/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
16/89).

(9)(a) *Training Provider:* Aries
Environmental Services, Ltd.

Address: 1550 Hubbard, Batavia, IL
60510, Contact: Dennis Cesarotti,
Phone: (312) 879-3006.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
13/88).

Abatement Worker Refresher Course
(contingent from 1/18/89).

(10)(a) *Training Provider:* Asbestech,
Inc.

Address: 326 Front St., Marietta, OH
45750, Contact: Phillip Lee, Phone:
(614) 373-0714.

(b) *Approved Course:*

Abatement Worker (contingent from 11/
9/89).

(11)(a) *Training Provider:* Asbestos
Abatement, Inc.

Address: 2420 N. Grand River, Lansing,
MI 48906, Contact: Shawn
O'Callaghan, Phone: (517) 323-0053.

(b) *Approved Course:*

Abatement Worker (contingent from 7/
6/88).

(12)(a) *Training Provider:* Asbestos
Consulting Group, Inc.

Address: P.O. Box 3157, La Crosse, WI
54602-3157, Contact: Larry Lienau,
Phone: (608) 782-1670.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
7/12/88).

Inspector/Management Planner
(contingent from 10/14/88).

(13)(a) *Training Provider:* Asbestos
Management, Inc.

Address: 36700 South Huron, Suite 104,
New Boston, MI 48164, Contact:
LaDonna Slifco, Phone: (313) 961-6135.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
12/88).

Abatement Worker Refresher Course
(contingent from 1/4/89).

Contractor/Supervisor (contingent from
8/18/87).

Inspector/Management Planner
(contingent from 1/26/88).

Inspector/Management Planner (full
from 2/1/88).

Inspector/Management Planner
Refresher Course (contingent from 11/
14/88).

(14)(a) *Training Provider:* Asbestos
Professional Services, Inc.

Address: 501 North Second St., Breese,
IL 62230, Contact: Donald T.
Anderson, Phone: (618) 526-2742.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
13/89).

Abatement Worker Refresher Course
(contingent from 10/9/89).

Contractor/Supervisor (contingent from
10/13/89).

Contractor/Supervisor Refresher Course
(contingent from 10/9/89).

(15)(a) *Training Provider:* Asbestos
Removal Inc.

Address: Waterworks Rd., P.O. Box 522,
Wabash, IN 46992, Contact: Karen S.
Eckman, Phone: (219) 563-2407.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
18/89).

Abatement Worker Refresher Course
(contingent from 12/20/89).

(16)(a) *Training Provider:* Asbestos
Roofing Technology, Inc.

Address: P.O. Box 211, Lyons, IL 60534,
Contact: Jay E. Refieuna, Phone: (312)
352-0400.

(b) *Approved Course:*

Abatement Worker (contingent from 4/
13/89).

(17)(a) *Training Provider:* Asbestos
Services, Inc.

Address: P.O. Box 141, Baroda, MI
49101, Contact: Dennis W. Calkins,
Phone: (616) 422-2174.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
12/88).

Abatement Worker Refresher Course
(contingent from 3/17/89).

Contractor/Supervisor (contingent from
8/12/88).

Contractor/Supervisor Refresher Course
(contingent from 3/17/89).

(18)(a) *Training Provider:* Asbestos Technology & Training, Inc.
Address: 1186 Summit Ave., St. Paul, MN 55105, Contact: James D. Risimini, Phone: (612) 290-0342.

(b) *Approved Courses:*
Abatement Worker (contingent from 7/27/88).
Abatement Worker Refresher Course (contingent from 2/7/89).
Contractor/Supervisor (contingent from 7/27/88).
Contractor/Supervisor Refresher Course (contingent from 2/7/89).
Inspector/Management Planner (contingent from 7/27/88).
Inspector/Management Planner Refresher Course (contingent from 2/7/89).

(19)(a) *Training Provider:* Asbestos Training & Employment, Inc. (ATEI).
Address: 809 East 11th St., Michigan City, IN 46360, Contact: Tom Dwyer, Phone: (219) 874-7348.

(b) *Approved Courses:*
Abatement Worker (contingent from 1/15/88).
Abatement Worker (full from 5/18/88).
Abatement Worker Refresher Course (contingent from 12/11/88).
Contractor/Supervisor (contingent from 1/19/88).
Contractor/Supervisor (full from 6/20/88).
Contractor/Supervisor Refresher Course (contingent from 12/11/88).
Inspector/Management Planner (contingent from 5/13/88).
Inspector/Management Planner Refresher Course (contingent from 12/11/88).

(20)(a) *Training Provider:* Asbestos Workers Council.
Address: 1216 East McMillan St., Room 107, Cincinnati, OH 45206, Contact: Richard Black, Phone: (513) 221-5969.

(b) *Approved Course:*
Abatement Worker (contingent from 10/31/88).

(21)(a) *Training Provider:* Astesco Laboratory, Inc.
Address: P.O. Box 517, Cloverdale, IN 46120, Contact: Donald R. Allen, Phone: (317) 795-4724.

(b) *Approved Courses:*
Abatement Worker (full from 10/31/88).
Abatement Worker Refresher Course (contingent from 2/7/89).
Contractor/Supervisor (contingent from 2/23/89).
Contractor/Supervisor Refresher Course (contingent from 2/23/89).

(22)(a) *Training Provider:* BDN Industrial Hygiene Consultants.
Address: 8105 Valleywood Lane, Portage, MI 49002, Contact: Keith Nichols, Phone: (616) 329-1237.

(b) *Approved Courses:*
Abatement Worker (contingent from 3/1/88).
Contractor/Supervisor (contingent from 10/1/87).
Contractor/Supervisor Refresher Course (contingent from 9/15/88).
Inspector/Management Planner (contingent from 1/15/88).
Inspector/Management Planner (full from 2/15/88).

(23)(a) *Training Provider:* Baker Midwest, Maple Grove, Minnesota.
Address: 10650 State Highway 152, Suite 112, Maple Grove, MN 55369, Contact: Joseph Reeves, Phone: (612) 493-2595.

(b) *Approved Courses:*
Abatement Worker (contingent from 6/15/89).
Contractor/Supervisor (contingent from 6/15/89).

(24)(a) *Training Provider:* Ball State University.
Address: College of Sciences & Humanities, Department of Natural Resources, Muncie, IN 47306, Contact: Thad Godish, Phone: (317) 285-5780.

(b) *Approved Course:*
Inspector/Management Planner (contingent from 3/30/89).

(25)(a) *Training Provider:* Bems Engineering, Inc.
Address: 18600 Northville Rd., Suite 200, Northville, MI 48167, Contact: Eugene L. Kunz, Phone: (313) 348-9167.

(b) *Approved Courses:*
Contractor/Supervisor (contingent from 12/29/88).
Contractor/Supervisor Refresher Course (contingent from 12/29/88).
Inspector (contingent from 1/18/89).
Inspector/Management Planner Refresher Course (contingent from 1/4/89).

Project Designer (contingent from 3/2/89).

(26)(a) *Training Provider:* Bierlein Demolition Contractors, Inc.
Address: 2903 South Graham Rd., Saginaw, MI 48608-8078, Contact: Harry T. Dryer, Jr., Phone: (517) 781-1810.

(b) *Approved Courses:*
Abatement Worker (contingent from 2/7/89).
Contractor/Supervisor (contingent from 2/7/89).

(27)(a) *Training Provider:* Boelter Associates, Inc.
Address: 8700 West Bryn Mawr Ave., South Tower, Suite 401, Chicago, IL 60631, Contact: Philip Ramos, Phone: (312) 380-1070.

(b) *Approved Course:*
Contractor/Supervisor Refresher Course (contingent from 5/22/89).

(28)(a) *Training Provider:* Bonne Terre Training Services.
Address: P.O. Box 673, Tiffin, OH 44883, Contact: Timothy E. Blott, Phone: (419) 447-5091.

(b) *Approved Courses:*
Abatement Worker (contingent from 10/13/89).
Abatement Worker Refresher Course (contingent from 10/12/89).

(29)(a) *Training Provider:* Bowling Green State University Environmental Health Program.
Address: 102 Health Center, Bowling Green, OH 43403-0280, Contact: Gary S. Silverman, Phone: (419) 372-7774.

(b) *Approved Course:*
Abatement Worker (contingent from 4/21/89).

(30)(a) *Training Provider:* Carnow, Conibear & Associates, Ltd.
Address: 333 West Wacker Dr., Suite 1400, Chicago, IL 60606, Contact: Victoria Musselman, Phone: (312) 782-4486.

(b) *Approved Course:*
Abatement Worker (full from 2/29/88).

(31)(a) *Training Provider:* Centin Corp.
Address: 6601 North Interchange Rd., Evansville, IN 47715, Contact: Dan Sanders, Phone: (812) 474-6220.

(b) *Approved Course:*
Abatement Worker (contingent from 3/30/89).

(32)(a) *Training Provider:* Charles J. Ogg and Associates.
Address: P.O. Box 815, Newburgh, IN 47629-0815, Contact: Charles J. Ogg, Phone: (812) 853-7607.

(b) *Approved Courses:*
Abatement Worker (contingent from 12/29/88).
Contractor/Supervisor (contingent from 5/1/89).

(33)(a) *Training Provider:* Clayton Environmental Consultants, Inc.
Address: 22345 Roethel Dr., Novi, MI 48050, Contact: Michael Coffman, Phone: (313) 344-1770.

(b) *Approved Courses:*
Inspector/Management Planner (contingent from 1/26/88).
Inspector/Management Planner (full from 2/16/88).
Inspector/Management Planner Refresher Course (contingent from 1/26/89).

(34)(a) *Training Provider:* Cleveland Environmental Services, Inc.
Address: P.O. Box 14643, Cincinnati, OH 45214, Contact: Eugene B. Rose, Phone: (513) 921-4143.

(b) Approved Courses:

Abatement Worker (contingent from 1/18/89).

Contractor/Supervisor (contingent from 4/21/89).

(35)(a) *Training Provider:* Cleveland Wrecking Co.

Address: 1400 Harrison Ave., P.O. Box 145530, Cincinnati, OH 45214, Contact: Eugene B. Rose, Phone: (513) 921-1160.

(b) Approved Courses:

Abatement Worker (contingent from 8/3/89).

Abatement Worker Refresher Course (contingent from 8/3/89).

Contractor/Supervisor (contingent from 8/3/89).

Contractor/Supervisor Refresher Course (contingent from 8/3/89).

(36)(a) *Training Provider:* Columbus Paraprofessional Institute Battelle Columbus Division.

Address: 505 King Ave., Columbus, OH 43201-2693, Contact: John Simpkins, Phone: (614) 424-6424.

(b) Approved Courses:

Inspector/Management Planner (contingent from 4/4/88).

Inspector/Management Planner (full from 4/11/88).

Inspector/Management Planner Refresher Course (contingent from 11/30/88).

(37)(a) *Training Provider:* Construction & General Laborers Training Trust Fund.

Address: 400 East Ogden Ave., Westmont, IL 60559, Contact: Anthony Solano, Phone: (312) 323-8999.

(b) Approved Courses:

Abatement Worker (contingent from 9/16/88).

Abatement Worker (full from 1/23/89).

Abatement Worker Refresher Course (contingent from 12/1/88).

Abatement Worker Refresher Course (full from 12/12/89).

Contractor/Supervisor (contingent from 9/22/89).

Contractor/Supervisor (full from 3/23/90).

(38)(a) *Training Provider:* Construction Laborer Local Union No. 496.

Address: 5945 North Ridge Rd., P.O. Box 190, Madison, OH 44057, Contact: Floyd Conrad, Phone: (216) 428-7177.

(b) Approved Courses:

Abatement Worker (contingent from 10/25/89).

Abatement Worker Refresher Course (contingent from 12/1/89).

Contractor/Supervisor (contingent from 10/25/89).

Contractor/Supervisor Refresher Course (contingent from 12/1/89).

Inspector (contingent from 10/25/89).
Inspector Refresher Course (contingent from 12/1/89).

(39)(a) *Training Provider:* D/E 3.

Address: 7471-H Tyler Blvd., Mentor, OH 44060, Contact: Harold N. Danto, Phone: (216) 942-4800.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Abatement Worker Refresher Course (contingent from 1/4/89).

(40)(a) *Training Provider:* D/E 3.

Address: 19701 South Miles Pkwy., N-12, Warrensville, OH 44128, Contact: Harold Danto, Phone: (216) 663-1500.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 9/1/89).

Contractor/Supervisor Refresher Course (contingent from 10/10/89).

(41)(a) *Training Provider:* Daniel J. Hartwig Associates, Inc.

Address: P.O. Box 31, Oregon, WI 53575-0031, Contact: Alice J. Seeliger, Phone: (808) 835-5781.

(b) *Approved Courses:*

Abatement Worker (full from 10/18/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

Contractor/Supervisor (contingent from 4/11/89).

Contractor/Supervisor Refresher Course (contingent from 4/25/89).

Inspector/Management Planner

(contingent from 2/9/88).

Inspector/Management Planner (full from 4/18/88).

Inspector/Management Planner Refresher Course (contingent from 2/23/89).

(42)(a) *Training Provider:* Darla

Environmental, Inc.

Address: 1220 Richards St., Suite H, Joliet, IL 60433-2758, Contact: Salvador Garcia, Phone: (815) 722-5561.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Contractor/Supervisor (contingent from 10/7/88).

(43)(a) *Training Provider:* DeLisle Associates, Ltd.

Address: 6946 East North Ave., Kalamazoo, MI 49001, Contact: Mark A. DeLisle, Phone: (616) 385-1018.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/88).

Abatement Worker (full from 1/23/89).

Contractor/Supervisor (contingent from 10/5/87).

Contractor/Supervisor (full from 10/20/87).

Contractor/Supervisor Refresher Course (contingent from 9/1/88).

Inspector/Management Planner (contingent from 12/22/87).

Inspector/Management Planner (full from 1/27/88).

Inspector/Management Planner Refresher Course (contingent from 2/23/89).

(44)(a) *Training Provider:* Dore & Associates Contracting, Inc.

Address: 900 Harry S. Truman Pkwy., P.O. Box 146, Bay City, MI 48707, Contact: Joseph Goldring, Phone: (517) 684-8358.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/6/88).

Abatement Worker (full from 7/25/88).

Abatement Worker Refresher Course (contingent from 10/31/88).

Contractor/Supervisor (contingent from 10/31/88).

Contractor/Supervisor Refresher Course (contingent from 3/29/89).

(45)(a) *Training Provider:* Ecological Services, Inc.

Address: 107 Clay St., Tiffin, OH 44880-0715, Contact: Harish N. Pandhi, Phone: (419) 447-2514.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/1/88).

Abatement Worker Refresher Course (contingent from 3/7/89).

(46)(a) *Training Provider:* Emscoa-Emergency Medical Service Consultants of America.

Address: 12125 South 90th Ave., Palos Park, IL 60464, Contact: Fred Debow, Phone: (708) 448-7500.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).

Abatement Worker Refresher Course (contingent from 12/20/89).

Contractor/Supervisor (contingent from 11/3/89).

Contractor/Supervisor Refresher Course (contingent from 12/20/89).

(47)(a) *Training Provider:* Environment Technology of Fort Wayne, Inc.

Address: 9208 Hessen Cassel Rd., Fort Wayne, IN 46816, Contact: Randy C. Aumsbaugh, Phone: (219) 447-3141.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/5/89).

Abatement Worker (full from 3/21/90).

Abatement Worker Refresher Course (contingent from 4/7/89).

(48)(a) *Training Provider:* Environmental & Occupational Consulting & Training, Inc.

Address: 3410 East Cork St., Kalamazoo, MI 49001, Contact: A. Clark Kahn, Phone: (616) 388-8099.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/1/89).

Abatement Worker Refresher Course (contingent from 3/7/89).

Contractor/Supervisor (contingent from 3/1/89).

Contractor/Supervisor Refresher Course (contingent from 3/7/89).

(49)(a) *Training Provider:*

Environmental Abatement Systems, Inc.

Address: 6416 Ellsworth, Detroit, MI 48238, Contact: Farrell Davis, Phone: (313) 345-3154.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (contingent from 8/12/88).

(50)(a) *Training Provider:*

Environmental Diversified Services, Inc.

Address: 24356 Sherwood, Center Line, MI 48015-1061, Contact: Michael D. Berg, Phone: (313) 757-4800.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/30/89).

Abatement Worker Refresher Course (contingent from 4/14/89).

Contractor/Supervisor (contingent from 3/30/89).

Contractor/Supervisor Refresher Course (contingent from 4/11/89).

(51)(a) *Training Provider:*

Environmental Management Consultants, Inc.

Address: 5201 Middle Mt. Vernon Rd., Evansville, IN 47712, Contact: Barbara S. Kramer, Phone: (812) 424-7768.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/13/89).

Abatement Worker (full from 12/13/89).

Contractor/Supervisor (contingent from 3/9/89).

Contractor/Supervisor (full from 12/13/89).

(52)(a) *Training Provider:*

Environmental Professionals, Inc.

Address: 1405 Newton St., Tallmadge, OH 44278, Contact: Edward C. Bruner, Phone: (216) 633-4435.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 2/2/88).

Contractor/Supervisor Refresher Course (contingent from 1/26/89).

(53)(a) *Training Provider:*

Environmental Rehab, Inc.

Address: 700 Coronis Cir., Green Bay, WI 54304, Contact: Randy LaCrosse, Phone: (414) 337-0650.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/4/89).

Abatement Worker (full from 3/29/89).

Abatement Worker Refresher Course (contingent from 10/13/89).

(54)(a) *Training Provider:*

Environmental Response Systems, Inc.

Address: 5319 Broadway Ave., Cleveland, OH 44127, Contact: Paul J. Stroud, Jr., Phone: (216) 883-1152.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 12/29/88).

(55)(a) *Training Provider:*

Environmental Safety Training Services, Inc.

Address: 11802 Hanson Rd., Algonquin, IL 60102, Contact: Robert Sayre, Phone: (217) 525-6161.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/1/88).

Abatement Worker Refresher Course (contingent from 1/17/89).

(56)(a) *Training Provider:*

Environmental Technologies Co. (Formerly Lee Environmental Services, Inc.).

Address: 2727 Second Ave., Detroit, MI 48201, Contact: David W. McDowell, Phone: (313) 961-4230.

(b) *Approved Course:*

Abatement Worker (contingent from 3/17/89).

(57)(a) *Training Provider:*

Environmental Training Institute.

Address: 4708 Angold Rd., Toledo, OH 43615, Contact: Dale Bruhl, Jr., Phone: (419) 382-9200.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/10/89).

Abatement Worker Refresher Course (contingent from 10/5/89).

(58)(a) *Training Provider:* Envirplus, Inc.

Address: 600 Hartrey Ave., Suite 203 A, Evanston, IL 60202, Contact: Salvador Garcia, Phone: (312) 475-0022.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 8/31/89).

(59)(a) *Training Provider:* Escor, Inc.

Address: 540 Frontage Rd., Suite 211, Northfield, IL 60093, Contact: R. Eric Zimmerman, Phone: (312) 501-2190.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Abatement Worker Refresher Course (contingent from 9/15/88).

Contractor/Supervisor (contingent from 8/12/88).

Contractor/Supervisor Refresher Course (contingent from 9/15/88).

Inspector/Management Planner (contingent from 8/12/88).

Inspector/Management Planner Refresher Course (contingent from 9/1/88).

(60)(a) *Training Provider:* Foley

Occupational Health Consulting.

Address: 2400 North Reynolds Rd., Toledo, OH 43615, Contact: E.D. Foley, Jr., Phone: (419) 531-7191.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 2/4/88).

Contractor/Supervisor Refresher Course (contingent from 1/4/89).

(61)(a) *Training Provider:* G & H

Contracting Associates, Ltd.

Address: 300 Acorn St., P.O. Box 49080, Plainwell, MI 49080, Contact: Jeffrey C. Gren, Phone: (616) 665-1606.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/7/88).

Abatement Worker (full from 11/7/88).

Contractor/Supervisor (contingent from 4/21/89).

(62)(a) *Training Provider:* Gandee &

Associates, Inc.

Address: 4488 Mobile Dr., Columbus, OH 43220, Contact: Kurt Varga, Phone: (614) 459-8338.

(b) *Approved Courses:*

Abatement Worker (full from 1/17/89).

Abatement Worker Refresher Course (contingent from 8/17/89).

Contractor/Supervisor (contingent from 6/1/88).

Contractor/Supervisor (full from 8/29/88).

Contractor/Supervisor Refresher Course (contingent from 7/26/89).

Inspector/Management Planner (contingent from 3/3/89).

Inspector/Management Planner Refresher Course (contingent from 8/2/89).

(63)(a) *Training Provider:* Hazard

Management Group, Inc.

Address: P.O. Box 627, Ashtabula, OH 44004, Contact: Gabriel Demshar, Jr., Phone: (216) 992-1122.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/4/89).

Contractor/Supervisor (contingent from 1/4/89).

(64)(a) *Training Provider:* Hazardous Materials Institute, Inc.

Address: 1550 Old Henderson Rd., Suite N-232, Columbus, OH 43222, Contact: Al Wilson, Phone: (614) 459-1105.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Abatement Worker Refresher Course (contingent from 9/15/88).

Contractor/Supervisor (contingent from 8/12/88).

Contractor/Supervisor Refresher Course (contingent from 9/15/88).

Inspector/Management Planner (contingent from 8/3/88).

Inspector/Management Planner Refresher Course (contingent from 9/15/88).

Project Designer (contingent from 10/14/88).

(65)(a) *Training Provider:* Heat & Frost Insulators & Asbestos Workers Local Union No. 17 Apprentice Training Center.

Address: 3850 South Racine Ave., Chicago, IL 60609, Contact: John P. Shine, Phone: (312) 247-1007.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/2/87).

Abatement Worker (full from 11/8/87).

Abatement Worker Refresher Course (contingent from 10/14/88).

Abatement Worker Refresher Course (full from 1/9/90).

Contractor/Supervisor (contingent from 3/21/88).

Contractor/Supervisor (full from 3/22/88).

Contractor/Supervisor Refresher Course (contingent from 12/1/88).

(66)(a) *Training Provider:* Heat & Frost Insulators & Asbestos Workers Local Union No. 34.

Address: 708 South 10th St., Minneapolis, MN 55404, Contact: Lee Houske, Phone: (612) 332-3216.

(b) *Approved Courses:*

Abatement Worker (full from 11/8/88).

Contractor/Supervisor (full from 11/8/88).

(67)(a) *Training Provider:* Helix Environmental, Inc.

Address: 416 Triangle, Dayton, OH 45419, Contact: Ralph Froehlich, Phone: (513) 298-2990.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/1/89).

Contractor/Supervisor (contingent from 11/1/89).

Contractor/Supervisor Refresher Course (contingent from 12/19/89).

Inspector/Management Planner (contingent from 11/1/89).

Inspector/Management Planner Refresher Course (contingent from 12/20/89).

(68)(a) *Training Provider:* I.P.C. of Chicago.

Address: 4309 West Henderson, Chicago, IL 60641, Contact: Robert G. Cooley, Phone: (312) 718-7395.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/5/87).

Abatement Worker (full from 8/8/88).

Contractor/Supervisor (contingent from 2/7/89).

Contractor/Supervisor Refresher Course (contingent from 2/7/89).

Inspector/Management Planner Refresher Course (contingent from 2/7/89).

(69)(a) *Training Provider:* Illinois Environmental Institute.

Address: 8425 West 95th St., Hickory Hills, IL 60457, Contact: William T. Giova, Phone: (312) 839-9000.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/3/89).

Abatement Worker (full from 2/9/90).

(70)(a) *Training Provider:* Illinois Laborers' & Contractors Training Program.

Address: R.R. 3, Mount Sterling, IL 62353, Contact: Tony Romolo, Phone: (217) 773-2741.

(b) *Approved Courses:*

Abatement Worker (full from 12/15/85).

Abatement Worker Refresher Course (contingent from 9/1/88).

Abatement Worker Refresher Course (full from 12/13/89).

Contractor/Supervisor (contingent from 2/9/88).

Contractor/Supervisor (full from 3/14/88).

Contractor/Supervisor Refresher Course (contingent from 2/27/89).

(71)(a) *Training Provider:* Ilse Engineering, Inc.

Address: 7177 Arrowhead Rd., Duluth, MN 55811, Contact: John F. Ilse, Phone: (218) 729-6858.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/15/88).

Contractor/Supervisor Refresher Course (contingent from 4/11/89).

(72)(a) *Training Provider:* Indiana Laborers Training Trust Fund.

Address: P.O. Box 758, Bedford, IN 47421, Contact: Richard Fassino, Phone: (812) 279-9751.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/11/87).

Abatement Worker (full from 2/22/88).

Abatement Worker Refresher Course (contingent from 10/7/88).

Abatement Worker Refresher Course (full from 1/17/90).

Contractor/Supervisor (contingent from 8/2/88).

Contractor/Supervisor (full from 8/15/88).

Contractor/Supervisor Refresher Course (contingent from 6/14/89).

(73)(a) *Training Provider:* Indianapolis Center for Advanced Research, Inc.

Address: 611 North Capitol Ave., Indianapolis, IN 46204, Contact: William Beranek, Jr., Phone: (317) 262-5027.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/13/88).

Abatement Worker (full from 1/10/89).

Abatement Worker Refresher Course (contingent from 12/27/88).

Contractor/Supervisor (contingent from 9/15/88).

Contractor/Supervisor (full from 1/10/89).

Contractor/Supervisor Refresher Course (contingent from 12/27/88).

Inspector/Management Planner (contingent from 5/9/88).

Inspector/Management Planner (full from 6/8/88).

Inspector/Management Planner Refresher Course (contingent from 12/6/88).

(74)(a) *Training Provider:* Industrial Environmental Consultants.

Address: 2875 Northwind, Suite 113, East Lansing, MI 48823, Contact: James C. Fox, Phone: (517) 332-7026.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/9/88).

Abatement Worker (full from 1/23/89).

Abatement Worker Refresher Course (contingent from 1/18/89).

Contractor/Supervisor (contingent from 8/3/88).

Contractor/Supervisor (full from 1/23/89).

Contractor/Supervisor Refresher Course (contingent from 12/5/88).

Inspector/Management Planner (contingent from 3/1/88).

(75)(a) *Training Provider:* Institute for Environmental Assessment.

Address: 2829 Verndale Ave., Anoka, MN 55303, Contact: Bill Sloan, Phone: (612) 427-5310.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (contingent from 8/12/88).

Inspector/Management Planner Refresher Course (contingent from 2/21/89).

(76)(a) *Training Provider:* International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 19.

Address: 9401 West Beloit Rd., No. 209, Milwaukee, WI 53227, Contact: Randall Gottsacker, Phone: (414) 321-2828.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/29/88).

Abatement Worker (full from 5/15/89).

Abatement Worker Refresher Course (contingent from 1/26/89).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (contingent from 1/26/89).

(77)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 34.

Address: 708 South 10th St., Minneapolis, MN 55404, Contact: Lee A. Houske, Phone: (612) 332-3216.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/8/88).

Contractor/Supervisor (contingent from 9/1/88).

(78)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers, Local Union No. 127.

Address: 2787 Pamela Dr., Green Bay, WI 54302, Contact: Michael A. Simons, Phone: (414) 468-5973.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/18/89).

Abatement Worker Refresher Course (contingent from 1/18/89).

Contractor/Supervisor (contingent from 1/18/89).

(79)(a) *Training Provider:* JWP Enterprises, Ltd.

Address: 122 Water St., Baraboo, WI 53913, Contact: Stephen P. Jandrowski, Phone: (608) 356-2101.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/6/89).

Abatement Worker Refresher Course (contingent from 6/8/89).

Contractor/Supervisor (contingent from 6/6/89).

Contractor/Supervisor (full from 12/7/89).

Contractor/Supervisor Refresher Course (contingent from 6/8/89).

(80)(a) *Training Provider:* Kemron Environmental Services, Inc.

Address: 32740 Northwestern Hwy., Farmington Hills, MI 48018, Contact: Sara A. Bassett, Phone: (313) 626-2426.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 5/13/88).

Contractor/Supervisor (full from 2/27/89).

Contractor/Supervisor Refresher Course (contingent from 2/7/89).

Inspector/Management Planner (contingent from 3/25/88).

Inspector/Management Planner Refresher Course (contingent from 1/4/89).

(81)(a) *Training Provider:* Keter Environmental Ltd.

Address: 699 Edgewood Ave., Elmhurst, IL 60126, Contact: Philip Pekron, Phone: (312) 941-0201.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/27/89).

Abatement Worker Refresher Course (contingent from 11/28/89).

Contractor/Supervisor Refresher Course (contingent from 12/20/89).

(82)(a) *Training Provider:* Lakeland Contractors, Inc.

Address: 7615-B St. Clair St., Mentor, OH 44060, Contact: Rex Harris, Phone: (216) 942-0006.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/4/89).

Abatement Worker Refresher Course (contingent from 4/11/89).

(83)(a) *Training Provider:* Lepi Enterprises, Inc.

Address: 917 Main St., Dresden, OH 43821, Contact: James R. Lepi, Phone: (614) 754-1162.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/6/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

(84)(a) *Training Provider:* Lyle Training Institute.

Address: 41 South Grant, Columbus, OH 43215, Contact: Andrea D. Hamblin, Phone: (614) 224-8822.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/21/88).

Contractor/Supervisor (contingent from 3/7/89).

Inspector/Management Planner (contingent from 6/30/88).

Inspector/Management Planner Refresher Course (contingent from 3/16/89).

(85)(a) *Training Provider:* M.K. Moore & Sons, Inc.

Address: 5150 Wagoner-Ford Rd., Dayton, OH 45414, Contact: Catherine C. Buchanan, Phone: (513) 236-1812.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/31/89).

Abatement Worker Refresher Course (contingent from 4/7/89).

Contractor/Supervisor (contingent from 3/31/89).

Contractor/Supervisor Refresher Course (contingent from 4/7/89).

(86)(a) *Training Provider:* MacNeil Environmental, Inc.

Address: 799 Roosevelt Rd., Building 6, Glen Ellyn, IL 60137, Contact: James E. Viskocil, Phone: (312) 858-2092.

(b) *Approved Courses:*

Contractor/Supervisor Refresher Course (contingent from 7/6/89).

Inspector/Management Planner Refresher Course (contingent from 7/6/89).

(87)(a) *Training Provider:* Manage Right Asbestos Consultants.

Address: 314 West Genesee Ave., Saginaw, MI 48602, Contact: Mary Margaret Brown, Phone: (517) 753-9290.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/24/89).

Abatement Worker Refresher Course (contingent from 4/27/89).

Contractor/Supervisor (contingent from 4/7/89).

(88)(a) *Training Provider:* Mark A. Kriesemint, Ltd.

Address: P.O. Box 06198, Chicago, IL 60606-0198, Contact: Mark Kriesemint, Phone: (312) 463-0206.

(b) *Approved Course:*

Abatement Worker (contingent from 10/31/88).

(89)(a) *Training Provider:* McDowell Business Training Center.

Address: 1326 S. Michigan Ave., Suite 103, Chicago, IL 60605, Contact: Edward McDowell, Phone: (312) 427-2598.

(b) *Approved Course:*

Abatement Worker (contingent from 10/6/89).

(90)(a) *Training Provider:* Metropolitan Detroit AFL-CIO Training Center.

Address: 14333 Prairie, Detroit, MI 48238, Contact: Richard M. King, Phone: (313) 863-1000.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/12/88).

Contractor/Supervisor (contingent from 8/12/88).

(91)(a) *Training Provider:* Michigan Laborers Training Institute.

Address: 11155 South Beardslee Rd., Perry, MI 48872, Contact: Edwin H. McDonald, Phone: (517) 625-4919.

(b) *Approved Courses:*

- Abatement Worker (contingent from 2/9/88).
- Abatement Worker (full from 5/2/88).
- Abatement Worker Refresher Course (contingent from 11/14/88).
- Contractor/Supervisor (contingent from 4/6/88).
- Contractor/Supervisor (full from 5/6/88).
- Contractor/Supervisor Refresher Course (contingent from 11/14/88).
- (92)(a) *Training Provider:* Mid-Central Illinois District Council of Carpenters. Address: 910 Brenkman Dr., Pekin, IL 61554, Contact: Mr. Burnett, Phone: (309) 353-4232.
- (b) *Approved Courses:*
- Abatement Worker Refresher Course (contingent from 9/1/89).
- Contractor/Supervisor Refresher Course (contingent from 9/1/89).
- (93)(a) *Training Provider:* Midwest Center for Occupational Health & Safety. Address: 640 Jackson St., St. Paul, MN 55101, Contact: Ruth K. McIntyre, Phone: (612) 221-3992.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 9/16/88).
- Contractor/Supervisor (full from 11/28/88).
- Contractor/Supervisor Refresher Course (contingent from 12/1/88).
- Inspector/Management Planner (contingent from 5/9/88).
- Inspector/Management Planner (full from 5/23/88).
- Inspector/Management Planner Refresher Course (contingent from 12/1/88).
- (94)(a) *Training Provider:* Midwest Health Training. Address: 3920 Central, Western Springs, IL 60558, Contact: H.C. Brown, Phone: (312) 246-9527.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 3/25/88).
- Abatement Worker (full from 4/25/88).
- Abatement Worker Refresher Course (contingent from 9/15/88).
- Contractor/Supervisor (contingent from 2/23/89).
- (95)(a) *Training Provider:* Milwaukee Asbestos Information Center. Address: 2224 South Kinnickinnic Ave., Milwaukee, WI 53207, Contact: Thomas R. Ortell, Phone: (414) 744-8100.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 12/1/88).
- Abatement Worker Refresher Course (contingent from 2/23/89).
- Contractor/Supervisor (contingent from 12/1/88).
- Contractor/Supervisor Refresher Course (contingent from 2/23/89).
- Inspector/Management Planner (contingent from 3/2/89).
- Inspector/Management Planner Refresher Course (contingent from 2/23/89).
- Project Designer (contingent from 9/22/89).
- Project Designer Refresher Course (contingent from 10/16/89).
- (96)(a) *Training Provider:* Moraine Valley Community College. Address: 10900 South 88th Ave., Palos Hills, IL 60465, Contact: Richard Kukac, Phone: (312) 974-5733.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 2/7/89).
- Abatement Worker (full from 1/11/90).
- Abatement Worker Refresher Course (contingent from 3/16/89).
- Abatement Worker Refresher Course (full from 1/25/90).
- Contractor/Supervisor (contingent from 8/12/88).
- Contractor/Supervisor (full from 1/11/90).
- Contractor/Supervisor Refresher Course (contingent from 12/6/88).
- Inspector/Management Planner (full from 2/9/88).
- Inspector/Management Planner Refresher Course (contingent from 12/6/88).
- (97)(a) *Training Provider:* National Asbestos Abatement Corp. Address: 1198 Robert T. Longway Blvd., Flint, MI 48503, Contact: James S. Sheaffer, Phone: (313) 232-7100.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 2/7/89).
- Abatement Worker (full from 4/18/89).
- (98)(a) *Training Provider:* National Institute for Abatement Education. Address: 5501 Williamsburg Way No. 305, Madison, WI 53719, Contact: Dean Leischow, Phone: (608) 271-7281.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/15/88).
- Contractor/Supervisor (contingent from 7/15/88).
- (99)(a) *Training Provider:* Northern Safety Consultants, Inc. Address: 1406 Lincoln Ave., Marquette, MI 49855, Contact: Christopher M. Baker, Phone: (906) 228-5161.
- (b) *Approved Courses:*
- Abatement Worker (full from 5/31/88).
- Contractor/Supervisor (full from 5/31/88).
- Contractor/Supervisor Refresher Course (contingent from 10/7/88).
- (100)(a) *Training Provider:* Northland Environmental Services, Inc. Address: P.O. Box 909, Stevens Point, WI 54481, Contact: Bob Voborsky, Phone: (715) 341-9699.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 1/18/89).
- Abatement Worker Refresher Course (contingent from 1/18/89).
- Contractor/Supervisor (contingent from 1/18/89).
- Contractor/Supervisor Refresher Course (contingent from 1/18/89).
- (101)(a) *Training Provider:* Nova Environmental Services. Address: Suite 420 Hazeltine Gates, 1107 Hazeltine Blvd., Chaska, MN 55318, Contact: Deborah S. Green, Phone: (612) 448-9393.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 12/24/87).
- Abatement Worker Refresher Course (contingent from 4/13/89).
- Contractor/Supervisor (contingent from 9/1/88).
- Contractor/Supervisor Refresher Course (contingent from 4/13/89).
- (102)(a) *Training Provider:* Nova Environmental, Inc. Address: 5340 Plymouth Rd., Suite 210, Ann Arbor, MI 48105, Contact: Kary S. Amin, Phone: (313) 930-0995.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 5/13/88).
- Abatement Worker (full from 3/27/89).
- Contractor/Supervisor (contingent from 10/7/88).
- Contractor/Supervisor (full from 3/27/89).
- Contractor/Supervisor Refresher Course (contingent from 10/7/88).
- Inspector/Management Planner (contingent from 10/7/88).
- Inspector/Management Planner Refresher Course (contingent from 11/14/88).
- (103)(a) *Training Provider:* Ohio Asbestos Workers Council. Address: 1216 East McMillan St., Room 107, Cincinnati, OH 45206, Contact: Larry Briley, Phone: (513) 221-5969.
- (b) *Approved Courses:*
- Contractor/Supervisor (contingent from 2/17/88).
- Contractor/Supervisor (full from 5/12/88).
- (104)(a) *Training Provider:* Ohio Laborers' Training & Upgrading Trust Fund.

Address: 25721 Coshocton Rd., P.O. Box 218, Howard, OH 43028, Contact: John L. Railing, Phone: (614) 599-7915.

(b) *Approved Courses:*

Abatement Worker (full from 4/11/88).

Abatement Worker Refresher Course (contingent from 9/1/88).

Abatement Worker Refresher Course (full from 2/8/90).

Contractor/Supervisor (contingent from 7/27/88).

Contractor/Supervisor (full from 2/8/90).

Contractor/Supervisor Refresher Course (contingent from 8/8/89).

Contractor/Supervisor Refresher Course (full from 2/9/90).

(105)(a) *Training Provider:* Olive - Harvey College Skill Center.

Address: 10001 South Woodlawn Ave., Chicago, IL 60628, Contact: Verondo Tucker, Phone: (312) 660-4841.

(b) *Approved Course:*

Abatement Worker (contingent from 3/6/89).

(106)(a) *Training Provider:* Peoria Public Schools.

Address: 3202 North Wisconsin Ave., Peoria, IL 61603, Contact: Emil S. Steinseifer, Phone: (309) 672-6512.

(b) *Approved Course:*

Abatement Worker Refresher Course (contingent from 11/14/88).

(107)(a) *Training Provider:* Professional Asbestos Control Company Inc.

Address: 5739 West Howard St., Niles, IL 60648, Contact: William Foss, Phone: (312) 647-0077.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/2/89).

Contractor/Supervisor (contingent from 11/2/89).

(108)(a) *Training Provider:* Professional Asbestos Labor Services, Inc.

Address: 1501 Martin Luther King Dr., Gary, IN 46407, Contact: George Bradley, Phone: (219) 883-8541.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/18/88).

Abatement Worker Refresher Course (contingent from 12/5/88).

(109)(a) *Training Provider:* Professional Service Industries, Inc.

Address: 510 East 22nd St., Lombard, IL 60148, Contact: W.K. Swartzendruber, Phone: (312) 691-1490.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 11/13/89).

Contractor/Supervisor Refresher Course (contingent from 10/11/89).

Inspector/Management Planner (contingent from 12/15/88).

Inspector/Management Planner (full from 4/27/89).

Inspector/Management Planner Refresher Course (contingent from 10/11/89).

(110)(a) *Training Provider:* Randolph & Associates, Inc.

Address: 8901 North Industrial Rd., Peoria, IL 61615, Contact: Kirk E. Sweetland, Phone: (309) 692-4422.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 5/30/89).

Contractor/Supervisor Refresher Course (contingent from 6/9/89).

(111)(a) *Training Provider:* Rend Lake College.

Address: Department AAA, Ina, IL 62846, Contact: Fred Bruno, Phone: (618) 437-5321.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/29/89).

Abatement Worker (full from 10/10/89).

(112)(a) *Training Provider:* Risk Services, Inc.

Address: 26384 Ford Rd., Suite 200, Dearborn Heights, MI 48127, Contact: Michael J. Borsuck, Phone: (313) 565-5225.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/11/89).

Abatement Worker Refresher Course (contingent from 4/11/89).

Contractor/Supervisor (contingent from 4/11/89).

Contractor/Supervisor Refresher Course (contingent from 4/11/89).

(113)(a) *Training Provider:* S.Z. Mansdorf & Associates, Inc.

Address: 2000 Chestnut Blvd., Cuyahoga Falls, OH 44223-1323, Contact: S.Z. Mansdorf, Phone: (216) 928-5434.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from 1/15/88).

Contractor/Supervisor (full from 2/12/88).

Contractor/Supervisor Refresher Course (contingent from 1/19/89).

Inspector/Management Planner (contingent from 6/24/88).

Inspector/Management Planner Refresher Course (contingent from 1/26/89).

(114)(a) *Training Provider:* Safer Foundation.

Address: 571 West Jackson Blvd., Chicago, IL 60606, Contact: C. Bentley or P. Bergmann, Phone: (312) 922-2200.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/15/88).

Abatement Worker (full from 7/7/89).
Abatement Worker Refresher Course (contingent from 11/3/89).

(115)(a) *Training Provider:* Safety Dynamics.

Address: 124 Massachusetts Ave., Poland, OH 44514, Contact: Ronald G. Zikmund, Phone: (216) 757-3899.

(b) *Approved Course:*

Abatement Worker (contingent from 8/18/89).

(116)(a) *Training Provider:* Safety Training of Illinois.

Address: 1515 South Park, Springfield, IL 62704, Contact: S. David Farris, Phone: (217) 787-9091.

(b) *Approved Courses:*

Abatement Worker (full from 12/18/87).

Abatement Worker Refresher Course (contingent from 11/14/88).

(117)(a) *Training Provider:* Sear Corp.

Address: 8802 Bash St., Suite F, Indianapolis, IN 46256, Contact: Todd M. Strader, Phone: (317) 578-5845.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/3/89).

Abatement Worker (full from 7/7/89).

(118)(a) *Training Provider:* Seneca Asbestos Removal & Control, Inc.

Address: 76 Ashwood Rd., Tiffin, OH 44883, Contact: Roger Bakies, Phone: (419) 447-0202.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/21/89).

Abatement Worker (full from 11/15/89).

(119)(a) *Training Provider:* Sierra Analytical & Consulting Services, Inc.

Address: 307 North First St., Ann Arbor, MI 48103, Contact: David Nelson, Phone: (313) 662-1155.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/17/89).

Contractor/Supervisor (contingent from 1/26/89).

Contractor/Supervisor (full from 3/13/89).

(120)(a) *Training Provider:* South East Michigan Committee on Occupational Safety and Health (SEMCOSH).

Address: 1550 Howard St., Detroit, MI 48216, Contact: Barbara Boylan, Phone: (313) 961-3345.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/13/87).

Abatement Worker (full from 4/25/88).

Abatement Worker Refresher Course (contingent from 4/25/89).

(121)(a) *Training Provider:* Testing Engineers & Consultants, Inc.

Address: 1333 Rochester Rd., P.O. Box 249, Troy, MI 48099, Contact: Karl D. Agee, Phone: (313) 588-6200.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 5/9/88).

Inspector/Management Planner (full from 8/22/88).

Inspector/Management Planner Refresher Course (contingent from 3/30/89).

(122)(a) *Training Provider:* The American Center for Educational Development, Inc.

Address: 410 S. Michigan Ave., Suite 841, Chicago, IL 60605, Contact: Ron Broom, Phone: (312) 322-2233.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/3/89).

Abatement Worker (full from 12/13/89).

Abatement Worker Refresher Course (contingent from 12/1/89).

Contractor/Supervisor (contingent from 11/3/89).

Contractor/Supervisor (full from 1/19/90).

Contractor/Supervisor Refresher Course (contingent from 12/1/89).

(123)(a) *Training Provider:* The Brand Companies.

Address: 1420 Renaissance Dr., Park Ridge, IL 60068, Contact: Frank J. Barta, Phone: (312) 298-1200.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/4/89).

Abatement Worker (full from 5/1/89).

Abatement Worker Refresher Course (contingent from 6/8/89).

Contractor/Supervisor (contingent from 7/7/89).

Contractor/Supervisor Refresher Course (contingent from 8/16/89).

(124)(a) *Training Provider:* The Clear Consortium.

Address: 127 North Dearborn St., Chicago, IL 60602, Contact: Lorenzo Higgins, Phone: (312) 368-0211.

(b) *Approved Course:*

Abatement Worker (contingent from 7/18/89).

(125)(a) *Training Provider:* The Environmental Institute.

Address: 314 South State Ave., Indianapolis, IN 46201, Contact: Cindy Witte, Phone: (317) 269-3618.

(b) *Approved Course:*

Abatement Worker Refresher Course (contingent from 12/22/88).

(126)(a) *Training Provider:* Thermico, Inc.

Address: 3405 Centennial Dr., P.O. Box 2151, Midland, MI 48641-2151, Contact: Kevin Otis, Phone: (517) 496-2927.

(b) *Approved Course:*

Abatement Worker (contingent from 4/7/89).

(127)(a) *Training Provider:* Tillotson Consulting & Training, Inc.

Address: 9332 Oakview, Portage, MI 49002, Contact: Michael R. Tillotson, Phone: (616) 323-2124.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/29/88).

Abatement Worker Refresher Course (contingent from 12/11/88).

Contractor/Supervisor (contingent from 12/29/88).

Contractor/Supervisor Refresher Course (contingent from 12/11/88).

Inspector/Management Planner (contingent from 12/29/88).

Inspector/Management Planner Refresher Course (contingent from 12/11/88).

(128)(a) *Training Provider:* Trust Thermal Systems.

Address: 10445 Wright Rd., Eagle, MI 48822, Contact: Thomas Lowe, Phone: (517) 626-6791.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/1/88).

Abatement Worker Refresher Course (contingent from 4/7/89).

Contractor/Supervisor (contingent from 3/30/89).

Contractor/Supervisor Refresher Course (contingent from 4/7/89).

(129)(a) *Training Provider:* United Science Industries, Inc.

Address: 621 Ninth Street, P.O. Box 21, Carlyle, IL 62231, Contact: Mr. Koch, Phone: (618) 594-8670.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/4/89).

Abatement Worker Refresher Course (contingent from 12/20/89).

Contractor/Supervisor (contingent from 12/4/89).

Contractor/Supervisor Refresher Course (contingent from 12/20/89).

(130)(a) *Training Provider:* University of Cincinnati Medical Center Department of Environmental Health Kettering Laboratory.

Address: 3223 Eden Ave., ML 056, Cincinnati, OH 45267-0056, Contact: Judy L. Jarrell, Phone: (513) 558-1730.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/14/88).

Abatement Worker (full from 11/15/88).

Abatement Worker Refresher Course (contingent from 7/11/89).

Contractor/Supervisor (full from 10/20/87).

Contractor/Supervisor Refresher Course (contingent from 10/4/89).

Inspector/Management Planner (full from 11/16/87).

Inspector/Management Planner Refresher Course (contingent from 12/1/88).

Project Designer (contingent from 10/26/89).

(131)(a) *Training Provider:* University of Illinois at Chicago M.A.I.C.

Address: 1440 West Washington, Chicago, IL 60612, Contact: Tony Billotti, Phone: (312) 996-5762.

(b) *Approved Courses:*

Abatement Worker (interim from 10/1/87 to 12/14/87).

Abatement Worker (contingent from 10/2/87).

Abatement Worker (full from 4/5/88).

Abatement Worker Refresher Course (contingent from 11/14/88).

Contractor/Supervisor (full from 6/1/86).

Contractor/Supervisor Refresher Course (contingent from 1/18/89).

Inspector/Management Planner (contingent from 10/2/87).

Inspector/Management Planner (full from 10/21/87).

Inspector/Management Planner Refresher Course (full from 2/17/89).

Project Designer (contingent from 7/7/89).

(132)(a) *Training Provider:* University of Wisconsin.

Address: 422 Lowell Hall, 610 Langdon St., Madison, WI 53703, Contact: Neil DeClercq, Phone: (608) 262-2111.

(b) *Approved Courses:*

Abatement Worker (full from 12/7/87).

Abatement Worker Refresher Course (contingent from 12/15/88).

Contractor/Supervisor (contingent from 2/2/88).

Contractor/Supervisor (full from 9/1/88).

Contractor/Supervisor Refresher Course (contingent from 12/15/88).

Inspector/Management Planner (contingent from 2/2/88).

Inspector/Management Planner (full from 2/22/88).

Inspector/Management Planner Refresher Course (contingent from 12/15/88).

Project Designer (contingent from 9/15/88).

Project Designer Refresher Course (contingent from 3/3/89).

(133)(a) *Training Provider:* William E. Fink & Associates.

Address: 25 South State St., Girard, OH 44420, Contact: William Fink, Phone: (216) 545-1222.

(b) *Approved Course:*

Contractor/Supervisor (contingent from 8/18/89).

(134)(a) *Training Provider:* William E. Fink & Associates, Inc.

Address: 3695 Indian Run, Suite 5, Canfield, OH 44406, Contact: William E. Fink, Phone: (216) 533-6299.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 2/13/89).

Abatement Worker Refresher Course (contingent from 8/11/88).

Contractor/Supervisor (contingent from 8/18/89).

Contractor/Supervisor Refresher Course (contingent from 10/13/89).

(135)(a) *Training Provider:* Wisconsin Laborers Training Center.

Address: P.O. Box 150, Almond, WI 54909, Contact: Dean Jensen, Phone: (715) 366-8221.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/8/87).

Abatement Worker (full from 11/29/88).

Abatement Worker Refresher Course (contingent from 11/14/88).

Contractor/Supervisor (contingent from 11/21/88).

Contractor/Supervisor (full from 11/29/88).

(136)(a) *Training Provider:* Wonder Makers, Inc.

Address: 3101 Darmo St., Kalamazoo, MI 49008, Contact: Michael A. Pinto, Phone: (616) 382-4154.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/16/89).

Abatement Worker Refresher Course (contingent from 3/9/89).

Contractor/Supervisor (contingent from 3/16/89).

Contractor/Supervisor Refresher Course (contingent from 3/16/89).

Inspector/Management Planner (contingent from 4/21/89).

Inspector/Management Planner Refresher Course (contingent from 4/21/89).

REGION VI -- Dallas, TX

Regional Asbestos Coordinator: John West, 6T-PT, EPA, Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. (214) 655-7244, (FTS) 255-7244.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region VI training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* AAR, Inc.

Address: P.O. Box 742648, Houston, TX 77274-2648, Contact: David S. Barnett, Phone: (713) 777-9205.

(b) *Approved Course:*

Abatement Worker (contingent from 1/26/89).

(2)(a) *Training Provider:* AC & C

Systems Corp.

Address: 5909 Northwest Expressway, Suite 310, Oklahoma City, OK 73132, Contact: Turner Stallings, Phone: (405) 728-0444.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/20/88).

Contractor/Supervisor (contingent from 10/26/88).

(3)(a) *Training Provider:* AEGIS Associates, Inc.

Address: 4868 Research Dr., San Antonio, TX 78240, Contact: John J. Gokelman, Phone: (512) 641-8320.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/14/89 to 12/1/89 only).

Contractor/Supervisor (contingent from 5/25/89 to 12/1/89 only).

Inspector Refresher Course (contingent from 4/4/89 to 12/1/89 only).

(4)(a) *Training Provider:* ASCTC Asbestos Training Center.

Address: 13551 Brown Rd., Denham Springs, LA 70726, Contact: Don Hoffman, Phone: (504) 664-6884.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/4/90).

Abatement Worker Refresher Course (contingent from 2/4/90).

Contractor/Supervisor (contingent from 2/4/90).

Inspector/Management Planner (contingent from 2/5/90).

Inspector/Management Planner Refresher Course (contingent from 2/5/90).

Project Designer (contingent from 2/5/90).

(5)(a) *Training Provider:* Abateco, Inc.

Address: 10696 Haddington, Suite 100, Houston, TX 77043, Contact: E.H. Zansler, Phone: (713) 461-0692.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/14/89).

Abatement Worker (full from 3/7/90).

Abatement Worker Refresher Course (contingent from 3/17/89).

Contractor/Supervisor (contingent from 8/14/89).

Contractor/Supervisor (full from 3/9/90).

(6)(a) *Training Provider:* Ahera Training Institute.

Address: 12116A Jekel Circle, Austin, TX 78727, Contact: Richard J. Thompson, Phone: (512) 335-3724.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/10/89).

Abatement Worker Refresher Course (contingent from 12/15/89).

Contractor/Supervisor (contingent from 1/11/88).

Contractor/Supervisor (full from 3/1/88).

Contractor/Supervisor Refresher Course (contingent from 12/15/89).

Inspector/Management Planner (full from 1/25/88).

Inspector/Management Planner Refresher Course (contingent from 10/2/89).

(7)(a) *Training Provider:* Allied Training Systems.

Address: 4004 Tiffany, College Station, TX 77840, Contact: Dan Sheppard, Phone: (409) 690-0240.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/30/89).

Abatement Worker Refresher Course (contingent from 10/26/89).

Contractor/Supervisor Refresher Course (contingent from 10/31/89).

(8)(a) *Training Provider:* Allison Sheridan Environmental Training Services.

Address: 2411 Fountain View, Suite 120, Houston, TX 77057, Contact: Don Rawlings, Phone: (713) 953-1750.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/8/90).

Contractor/Supervisor (contingent from 1/8/90).

(9)(a) *Training Provider:* American Specialty Contractors, Inc.

Address: 8181 West Darryl Pkwy, Baton Rouge, LA 70896, Contact: Kurt Jones, Phone: (504) 926-9624.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/18/88).

Abatement Worker (full from 5/3/89).

Contractor/Supervisor (contingent from 11/18/88).

Contractor/Supervisor (full from 5/4/89).

(10)(a) *Training Provider:* Analytical Labs Training Center.

Address: 218 Market St., Baird, TX 79504, Contact: Bob Dye, Phone: (915) 854-1264.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/21/89).

Abatement Worker (full from 2/7/90).

- Contractor/Supervisor (contingent from 4/21/89).
- Contractor/Supervisor (full from 2/9/90).
- (11)(a) *Training Provider:* Asbestos Consulting Services, Inc. (A.C.S.I.).
Address: 13523 Ridgeview Dr., Baton Rouge, LA 70817, Contact: Ken Talbot, Phone: (504) 756-9180.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 3/2/89).
- Abatement Worker Refresher Course (contingent from 3/16/89).
- Contractor/Supervisor (contingent from 3/2/89).
- Contractor/Supervisor Refresher Course (contingent from 3/16/89).
- Inspector/Management Planner (contingent from 3/2/89).
- Inspector/Management Planner Refresher Course (contingent from 3/16/89).
- (12)(a) *Training Provider:* Asbestos Education Services.
Address: 11609 Barchetta Dr., Austin, TX 78758, Contact: Rick Orr, Phone: (512) 832-5298.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 10/5/89).
- Abatement Worker Refresher Course (contingent from 11/28/89).
- Contractor/Supervisor (contingent from 10/25/89).
- Contractor/Supervisor Refresher Course (contingent from 10/5/89).
- Project Designer Refresher Course (contingent from 11/28/89).
- (13)(a) *Training Provider:* Asbestos Surveys & Training, Inc.
Address: 5959 Central Crest, Houston, TX 77092, Contact: J.T. Stoneburger, Phone: (713) 681-2639.
- (b) *Approved Course:*
- Abatement Worker (full from 10/22/87 to 5/10/89 only).
- (14)(a) *Training Provider:* Ashley Environmental Services.
Address: 5959 Central Crest, Houston, TX 77092, Contact: Jesse Ashley, Phone: (713) 683-6311.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 9/27/89).
- Contractor/Supervisor (contingent from 9/29/89).
- (15)(a) *Training Provider:* Beaumont Business Incubator.
Address: 1090 South Fourth St., Beaumont, TX 77701, Contact: Jerry Plaia, Phone: (409) 835-1554.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 1/29/90).
- Abatement Worker Refresher Course (contingent from 1/29/90).
- Contractor/Supervisor (contingent from 1/29/90).
- Contractor/Supervisor Refresher Course (contingent from 1/29/90).
- (16)(a) *Training Provider:* CCA Environmental Inc.
Address: 8499 Greenville Ave., Suite 105, Dallas, TX 75231, Contact: Alcee Chriss, Phone: (214) 348-1954.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 10/18/89).
- Abatement Worker Refresher Course (contingent from 11/29/89).
- Contractor/Supervisor (contingent from 11/29/89).
- Contractor/Supervisor Refresher Course (contingent from 11/29/89).
- (17)(a) *Training Provider:* Carpenters Apprenticeship Training School.
Address: 8505 Glen Vista, Houston, TX 77061, Contact: S.C. Strunk, Jr., Phone: (713) 641-1011.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/8/88).
- Abatement Worker Refresher Course (contingent from 7/8/88).
- (18)(a) *Training Provider:* Certified Asbestos Training Institute, Inc.
Address: 4202 Argentina Cir., Pasadena, TX 77504, Contact: Clyde O. Waters, Phone: (713) 487-3155.
- (b) *Approved Course:*
- Abatement Worker (contingent from 4/20/88).
- (19)(a) *Training Provider:* El Paso Community College Transmountain Campus.
Address: P.O. Box 20500, El Paso, TX 79998, Contact: Jim Rath, Phone: (915) 757-5053.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 11/28/89).
- Abatement Worker Refresher Course (contingent from 11/28/89).
- Contractor/Supervisor (contingent from 11/28/89).
- Contractor/Supervisor Refresher Course (contingent from 11/28/89).
- (20)(a) *Training Provider:* Enviro-Con Services, Inc.
Address: 10014 Sussex Drive, Houston, TX 77041, Contact: Johnny Bacot, Phone: (713) 524-4121.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 9/22/89).
- Abatement Worker (full from 3/28/90).
- Abatement Worker Refresher Course (contingent from 10/2/89).
- Contractor/Supervisor (contingent from 9/21/89).
- Contractor/Supervisor (full from 3/29/90).
- Contractor/Supervisor Refresher Course (contingent from 10/2/89).
- (21)(a) *Training Provider:* Environmental Consultant Service.
Address: P.O. Box 586422, Dallas, TX 75258, Contact: Thomas Armstrong, Phone: (214) 638-3589.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 4/20/89).
- Contractor/Supervisor (contingent from 4/20/89).
- Contractor/Supervisor Refresher Course (contingent from 9/1/89).
- Inspector/Management Planner (contingent from 4/20/89).
- (22)(a) *Training Provider:* Environmental Monitoring Service, Inc. (EMS).
Address: 13008 Amarillo Ave., Austin, TX 78729, Contact: Rick Pruett, Phone: (512) 335-9116.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 3/1/88).
- Abatement Worker Refresher Course (contingent from 1/15/90).
- Contractor/Supervisor (contingent from 2/5/90).
- Inspector/Management Planner (contingent from 4/19/89).
- (23)(a) *Training Provider:* Field Sciences Institute.
Address: 2309 Renard Pl. SE., Suite 104, Albuquerque, NM 87106, Contact: Robert L. Edgar, Phone: (505) 764-9251.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 10/13/89).
- Abatement Worker Refresher Course (full from 8/1/89).
- Contractor/Supervisor (contingent from 4/22/88).
- Contractor/Supervisor Refresher Course (full from 8/1/89).
- Inspector Refresher Course (full from 8/1/89).
- Inspector/Management Planner (contingent from 4/22/88).
- (24)(a) *Training Provider:* Fort Worth Independent School District.
Address: 3210 West Lancaster, Fort Worth, TX 76107, Contact: H.D. Duncan, Phone: (817) 336-8311.
- (b) *Approved Courses:*
- Abatement Worker (contingent from 7/27/88).
- Abatement Worker Refresher Course (contingent from 7/27/88).
- (25)(a) *Training Provider:* GEBCO Associates, Inc.

Address: 1501 Norwood, Suite 142,
Hurst, TX 76054-3638, Contact: Ed
Kirch, Phone: (817) 268-4006.

(b) *Approved Courses:*

Abatement Worker (interim from 4/15/
87 to 8/19/87).

Abatement Worker (full from 8/20/87).

Abatement Worker Refresher Course
(contingent from 5/16/88).

Abatement Worker Refresher Course
(full from 7/5/89).

Contractor/Supervisor (contingent from
3/15/88).

Contractor/Supervisor (full from 7/24/
89).

Contractor/Supervisor Refresher Course
(contingent from 7/27/88).

Contractor/Supervisor Refresher Course
(full from 7/28/89).

Inspector/Management Planner (full
from 3/7/88).

Inspector/Management Planner
Refresher Course (contingent from 7/
27/88).

Inspector/Management Planner
Refresher Course (full from 6/16/89).

(26)(a) *Training Provider:* Gary
LaFrance Abatement Workers Training
Program.

Address: 4802 Prestwick, Tyler, TX
75703, Contact: Gary G. LaFrance,
Phone: (214) 581-8852.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
14/88).

Abatement Worker (full from 4/12/89).

(27)(a) *Training Provider:* Houston
Independent School District.

Address: 228 McCarty Dr., Houston, TX
77029, Contact: Bennie Jenkins, Phone:
(713) 676-2222 Ext. 396.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
10/89).

Abatement Worker Refresher Course
(contingent from 10/12/89).

Abatement Worker Refresher Course
(full from 10/12/89).

(28)(a) *Training Provider:* IMPACT
Inc.

Address: 5330 Griggs Rd., Houston, TX
77021, Contact: Edgar Harvey, Phone:
(713) 845-2416.

(b) *Approved Course:*

Abatement Worker (contingent from 8/
17/89).

(29)(a) *Training Provider:*
International Association of Heat &
Frost Insulators & Asbestos Workers
Local Union No. 22.

Address: 3219 Pasadena Blvd.,
Pasadena, TX 77503, Contact: Robert
M. Chadwick, Phone: (713) 473-0888.

(b) *Approved Courses:*

Abatement Worker (interim from 10/1/
87 to 10/4/87).

Abatement Worker (contingent from 10/
5/87).

Abatement Worker (full from 3/22/88).

Abatement Worker Refresher Course
(contingent from 10/5/87).

Contractor/Supervisor (full from 6/27/
88).

(30)(a) *Training Provider:* K & T
Safety Service, Inc.

Address: 9888 Bissonnett, Houston, TX
77036, Contact: Kevin Clothier, Phone:
(713) 988-9021.

(b) *Approved Course:*

Abatement Worker (contingent from 3/
28/89).

(31)(a) *Training Provider:* Keers
Environmental, Inc.

Address: P.O. Box 6848, Albuquerque,
NM 89197, Contact: Robert W. Keers,
Phone: (505) 888-9525.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
3/28/89).

Contractor/Supervisor Refresher Course
(contingent from 10/6/89).

(32)(a) *Training Provider:* Kiser
Engineering, Inc.

Address: 211 North River St., Seguin, TX
78155, Contact: Nathan Kiser, Phone:
(512) 372-2570.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
27/89).

Abatement Worker Refresher Course
(contingent from 3/24/89).

Contractor/Supervisor (contingent from
3/29/89).

Contractor/Supervisor Refresher Course
(contingent from 8/24/89).

(33)(a) *Training Provider:* Lafayette
Parish School Board Asbestos Training
Program.

Address: P.O. Drawer 2158, Lafayette,
LA 70502, Contact: Salvador E. Longo,
Phone: (504) 887-3740.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
21/88).

Contractor/Supervisor (contingent from
7/21/88).

(34)(a) *Training Provider:* Lamar
University, Hazardous Materials
Program.

Address: P.O. Box 10008, Beaumont, TX
77710, Contact: Marion Foster, Phone:
(409) 880-2369.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
19/88).

Abatement Worker (full from 4/26/89).

Contractor/Supervisor (contingent from
5/20/88).

Contractor/Supervisor Refresher Course
(contingent from 10/24/88).

Inspector/Management Planner
(contingent from 1/15/90).

(35)(a) *Training Provider:* Law
Engineering.

Address: 5500 Guhn Rd., Houston, TX
77040, Contact: Richard MacIntyre,
Phone: (713) 939-7161.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
14/89).

Contractor/Supervisor (contingent from
2/26/90).

(36)(a) *Training Provider:* Little-Tex
Insulation Co., Inc.

Address: 911 North Frio St., San
Antonio, TX 78207, Contact: Dan
Juepe, Phone: (512) 222-8094.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
1/88).

Contractor/Supervisor (contingent from
8/1/88).

(37)(a) *Training Provider:* Louisiana
Laborers Union-AGC Training Fund.

Address: P.O. Box 376, Livonia, LA
70755-0376, Contact: Jamie Peers,
Phone: (504) 637-2311.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
15/88).

Abatement Worker Refresher Course
(contingent from 4/4/89).

(38)(a) *Training Provider:* Louisiana
State University Agricultural &
Mechanical College.

Address: 181 Pleasant Hall, Baton
Rouge, LA 70803-1520, Contact:
Marcia L. Gilman, Phone: (504) 388-
6591.

(b) *Approved Courses:*

Abatement Worker (full from 1/1/88).

Abatement Worker Refresher Course
(contingent from 11/16/88).

Abatement Worker Refresher Course
(full from 3/8/89).

Contractor/Supervisor (contingent from
10/6/87).

Contractor/Supervisor (full from 4/7/
88).

Contractor/Supervisor Refresher Course
(contingent from 11/16/88).

Contractor/Supervisor Refresher Course
(full from 3/6/89).

Inspector/Management Planner (full
from 1/18/88).

Inspector/Management Planner
Refresher Course (full from 3/7/89).

Project Designer (contingent from 10/13/
89).

Project Designer Refresher Course
(contingent from 10/13/89).

(39)(a) *Training Provider:* MARTECH
International, Inc.

Address: P.O. Box 460, Broussard, LA
70518-0460, Contact: Gary Lawley,
Phone: (318) 364-3880.

(b) Approved Courses:

Abatement Worker (contingent from 1/17/89).

Contractor/Supervisor (contingent from 1/17/89).

(40)(a) *Training Provider:* Maxim Engineers Inspectors.

Address: 2342 Fabens, Dallas, TX 75229, Contact: Kyle B. Dotson, Phone: (214) 247-7575.

(b) Approved Courses:

Abatement Worker (contingent from 1/6/89).

Abatement Worker (full from 6/9/89).

Inspector (contingent from 12/11/89).

(41)(a) *Training Provider:* McClelland Management Services in Conjunction with the University of Houston.

Address: 6100 Hillcroft, Suite 220, Houston, TX 77081, Contact: David WindBurne, Phone: (713) 995-9000.

(b) Approved Courses:

Abatement Worker (contingent from 1/5/90).

Abatement Worker Refresher Course (contingent from 1/5/90).

Contractor/Supervisor (contingent from 1/5/90).

Contractor/Supervisor Refresher Course (contingent from 1/5/90).

Inspector/Management Planner (contingent from 1/5/90).

Inspector/Management Planner Refresher Course (contingent from 1/5/90).

Project Designer (contingent from 1/5/90).

Project Designer Refresher Course (contingent from 1/5/90).

(42)(a) *Training Provider:* Meador-Wright & Associates, Inc.

Address: 6211 W. Northwest Hwy., Suite C260, Dallas, TX 75225, Contact: Carl Teel, Phone: (214) 691-3485.

(b) Approved Course:

Inspector/Management Planner (full from 10/12/89).

(43)(a) *Training Provider:* Micro Analysis Laboratory, Inc.

Address: 8499 Greenville Ave., Dallas, TX 75231, Contact: Carolyn Jones, Phone: (214) 340-0890.

(b) Approved Course:

Abatement Worker (contingent from 9/6/89).

(44)(a) *Training Provider:* Moore-Norman Area Vocational Training School.

Address: 4701 12th Ave. NW., Norman, OK 73069, Contact: Frank Coulter, Phone: (405) 364-7032.

(b) Approved Courses:

Abatement Worker (full from 3/3/86).

Abatement Worker Refresher Course (contingent from 5/19/89).

Abatement Worker Refresher Course (full from 12/14/89).

Contractor/Supervisor (full from 12/14/89).

Contractor/Supervisor Refresher Course (contingent from 12/14/89).

Contractor/Supervisor Refresher Course (full from 12/14/89).

Inspector/Management Planner (contingent from 1/25/88).

Inspector/Management Planner (full from 4/4/88).

Inspector/Management Planner Refresher Course (contingent from 5/19/89).

(45)(a) *Training Provider:* NATEC of Texas, Inc.

Address: 6601 Kirby Dr., Suite III, Houston, TX 77005, Contact: Paul Speck, Phone: (713) 524-9444.

(b) Approved Course:

Abatement Worker (contingent from 11/22/89).

(46)(a) *Training Provider:* Nelson/Imel, Inc.

Address: 3900 Morrison Cir., Norman, OK 73072, Contact: Deborah Nelson, Phone: (405) 364-3278.

(b) Approved Courses:

Abatement Worker (contingent from 7/27/88).

Abatement Worker Refresher Course (contingent from 11/16/88).

Contractor/Supervisor Refresher Course (contingent from 4/7/89).

(47)(a) *Training Provider:* O'Connor McMahon, Inc.

Address: 1505 Luna Rd., Suite 114, Carrollton, TX 75006, Contact: James M. Walley, Phone: (214) 245-3300.

(b) Approved Course:

Abatement Worker (contingent from 7/27/88).

(48)(a) *Training Provider:*

Occupational Safety Health Consultants of Louisiana.

Address: 1034 Willow Brook Ave., Denham Springs, LA 70726, Contact: Clayton Joe Mitchell, Phone: (504) 664-0288.

(b) Approved Courses:

Abatement Worker (contingent from 8/22/89).

Abatement Worker Refresher Course (contingent from 8/22/89).

Contractor/Supervisor (contingent from 8/22/89).

Contractor/Supervisor Refresher Course (contingent from 8/22/89).

(49)(a) *Training Provider:*

Occupational Safety Training Institute.

Address: 9000 West Bellfort, Suite 450, Houston, TX 77031, Contact: Eva Bonilla, Phone: (713) 270-6882.

(b) Approved Courses:

Abatement Worker (contingent from 7/27/88).

Abatement Worker Refresher Course (contingent from 12/8/88).

Contractor/Supervisor (contingent from 7/27/88).

Contractor/Supervisor (full from 7/27/88).

Contractor/Supervisor Refresher Course (contingent from 12/8/88).

Inspector/Management Planner (contingent from 9/15/88).

(50)(a) *Training Provider:* PAN AM World Services Inc.

Address: P. O. Box 58938, Houston, TX 77258, Contact: Audrey Hall, Phone: (713) 483-7951.

(b) Approved Course:

Abatement Worker (contingent from 8/23/89).

(51)(a) *Training Provider:* Protechnics Environmental Services.

Address: 14760 Memorial Dr., Suite 105, Houston, TX 77079, Contact: Fabian Limon, Phone: (713) 496-9874.

(b) Approved Courses:

Abatement Worker (contingent from 1/5/89).

Abatement Worker (full from 6/30/89).

Contractor/Supervisor (contingent from 6/22/89).

Contractor/Supervisor Refresher Course (contingent from 11/28/89).

(52)(a) *Training Provider:* R & H Associates, Inc.

Address: P.O. Box 8948, Albuquerque, NM 87198, Contact: Floyd Rubi, Phone: (505) 275-1045.

(b) Approved Courses:

Abatement Worker (contingent from 1/12/89).

Abatement Worker Refresher Course (contingent from 4/20/89).

Contractor/Supervisor (contingent from 1/12/89).

Contractor/Supervisor Refresher Course (contingent from 4/20/89).

Inspector/Management Planner (contingent from 1/12/89).

Inspector/Management Planner Refresher Course (contingent from 4/20/89).

(53)(a) *Training Provider:* Raba-Kistner Training Institute.

Address: 12821 West Golden Ln., San Antonio, TX 78249, Contact: Don Kirchoff, Phone: (512) 699-9090.

(b) Approved Courses:

Abatement Worker (contingent from 10/23/89).

Contractor/Supervisor Refresher Course (contingent from 12/13/89).

Inspector/Management Planner (contingent from 12/13/89).

Inspector/Management Planner
Refresher Course (contingent from 12/
13/89).

(54)(a) *Training Provider:* Region 6
Environmental Training.

Address: P.O. Box 180435, Austin, TX
78718-0435, Contact: Charlotte
Ramzel, Phone: (512) 837-9296.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
27/88).

Abatement Worker Refresher Course
(contingent from 3/2/89).

Contractor/Supervisor (contingent from
7/27/88).

Contractor/Supervisor Refresher Course
(contingent from 3/2/89).

Inspector/Management Planner
(contingent from 10/10/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
10/89).

(55)(a) *Training Provider:* Regional
Environmental Training Center.

Address: 9024 Garland Rd., Dallas, TX
75218, Contact: Lisa Adams, Phone:
(214) 328-2928.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
30/89).

Contractor/Supervisor (contingent from
9/1/89).

Inspector/Management Planner
(contingent from 9/1/89).

(56)(a) *Training Provider:* Safety &
Health Research Institute.

Address: 500 One Gallery Tower, 13355
Noel Rd., P.O. Box 612245, Dallas, TX
75261, Contact: Ted Davis, Phone:
(214) 851-3536.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/
12/88 to 1/1/89 only).

Contractor/Supervisor (contingent from
9/12/88 to 1/1/89 only).

Inspector/Management Planner
(contingent from 9/12/88).

(57)(a) *Training Provider:* Southeast
Arkansas Education Services
Cooperative.

Address: U.A.M. - Willard Hall, P.O.
Box 3507, Monticello, AR 71655,
Contact: Lloyd Crossley, Phone: (501)
367-6848.

(b) *Approved Course:*

Inspector/Management Planner
Refresher Course (contingent from 4/
11/89).

(58)(a) *Training Provider:* Southwest
Environmental Institute.

Address: P.O. Box 295, Abilene, TX
79605, Contact: Tom Dye, Phone: (915)
691-0189.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
27/88).

Abatement Worker Refresher Course
(contingent from 8/17/89).

Contractor/Supervisor (contingent from
10/20/88).

Contractor/Supervisor Refresher Course
(contingent from 8/8/89).

Inspector/Management Planner
(contingent from 8/24/89).

(59)(a) *Training Provider:* Specialized
Environmental Services Inc.

Address: 6614 John Ralston Rd.,
Houston, TX 77049, Contact: James
Homminga, Phone: (713) 458-7274.

(b) *Approved Course:*

Abatement Worker (contingent from 11/
29/89).

(60)(a) *Training Provider:* Specialized
Environmental Training.

Address: P.O. Box 7001, Pasadena, TX
77508-7001, Contact: Sue Ann
Williams, Phone: (713) 487-4415.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
12/90).

Contractor/Supervisor (contingent from
1/12/90).

(61)(a) *Training Provider:* Texas
Engineering Extension Service Building
Codes Inspection Training Division.

Address: Texas A & M University
System, College Station, TX 77843-
8000, Contact: Tom Garner, Phone:
(409) 845-6682.

(b) *Approved Courses:*

Abatement Worker (full from 9/28/87).

Contractor/Supervisor (interim from 5/
26/86 to 9/13/87).

Contractor/Supervisor (full from 9/14/
87).

Contractor/Supervisor Refresher Course
(full from 3/2/89).

Inspector/Management Planner (full
from 10/19/87).

Inspector/Management Planner
Refresher Course (full from 3/1/89).

(62)(a) *Training Provider:* Texas State
Conference of Painters & Allied Trades.

Address: P.O. Box 130441, Houston, TX
77223-0441, Contact: John S. Dolney,
Phone: (713) 527-0152.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
7/89).

Abatement Worker Refresher Course
(contingent from 11/7/89).

(63)(a) *Training Provider:* Texas Tech
University.

Address: P.O. Box 4369, Lubbock, TX
79409, Contact: Paul Cotter, Phone:
(806) 742-3876.

(b) *Approved Courses:*

Abatement Worker Refresher Course
(contingent from 11/7/89).

Contractor/Supervisor (contingent from
10/31/89).

Contractor/Supervisor Refresher Course
(contingent from 11/7/89).

(64)(a) *Training Provider:* Tulane
University, School of Public Health &
Tropical Medicine, Dept of
Environmental Health Sciences.

Address: 1430 Tulane Ave., New
Orleans, LA 70112, Contact: Shau-
Wong-Chang, Phone: (504) 588-5374.

(b) *Approved Courses:*

Contractor/Supervisor (interim from 3/
17/87 to 9/14/87).

Contractor/Supervisor (full from 9/15/
87).

Contractor/Supervisor Refresher Course
(contingent from 8/1/89).

Inspector/Management Planner
(contingent from 5/20/88).

Inspector/Management Planner
Refresher Course (contingent from 8/
1/89).

(65)(a) *Training Provider:* U.S.
Analytical, Inc.

Address: P.O. Box 801, Abilene, TX
79604, Contact: Keith Davis, Phone:
(915) 698-3293.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
13/89).

Abatement Worker Refresher Course
(contingent from 1/5/89).

Contractor/Supervisor (contingent from
2/13/89).

(66)(a) *Training Provider:* U.S.
Environmental Services.

Address: 3801 Hulen St., Suite 105, Ft.
Worth, TX 76107, Contact: Steve
Salmon, Phone: (817) 429-9400.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
8/90).

Abatement Worker Refresher Course
(contingent from 1/8/90).

(67)(a) *Training Provider:* University
of Arkansas at Little Rock Biology Dept.

Address: 33rd & University, Little Rock,
AR 72204, Contact: Phyllis Moore,
Phone: (501) 569-3270.

(b) *Approved Courses:*

Inspector/Management Planner
(contingent from 8/18/89).

Inspector/Management Planner
Refresher Course (contingent from 6/
20/89).

(68)(a) *Training Provider:* University
of Arkansas at Little Rock, Labor
Education Program.

Address: 2801 South University, Little
Rock, AR 72204, Contact: James E.
Nickles, Phone: (501) 569-8483.

(b) *Approved Courses:*

Inspector/Management Planner
(contingent from 9/14/88).

Inspector/Management Planner
Refresher Course (contingent from 9/
12/88).

(69)(a) *Training Provider:* University
of Houston/McClelland Management
Services, Inc.

Address: Houston, TX 77204-3901,
Contact: Patricia Robinson, Phone:
(713) 749-7358.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
5/5/89).

(70)(a) *Training Provider:* University
of New Mexico, The Environmental
Training Center Division of Continuing
Education.

Address: 1634 University Blvd. NE.,
Albuquerque, NM 87131, Contact: Ed
Rodriguez, Phone: (505) 277-9060.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
4/89).

Abatement Worker Refresher Course
(contingent from 10/5/89).

Contractor/Supervisor (contingent from
6/16/85).

Contractor/Supervisor Refresher Course
(contingent from 10/5/89).

Inspector/Management Planner
(contingent from 9/19/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
6/89).

(71)(a) *Training Provider:* University
of Texas Health Center at TYLER.

Address: P.O. Box 2003, Tyler, TX 75710,
Contact: Ronald F. Dodson, Phone:
(214) 877-7877.

(b) *Approved Courses:*

Abatement Worker (full from 4/14/88).

Abatement Worker Refresher Course
(full from 10/27/88).

Contractor/Supervisor (full from 3/7/
88).

Contractor/Supervisor Refresher Course
(full from 10/27/88).

Inspector/Management Planner
(contingent from 3/21/88).

Inspector/Management Planner (full
from 4/15/88).

Inspector/Management Planner
Refresher Course (full from 10/27/88).

(72)(a) *Training Provider:* University
of Texas at Arlington Civil Engineering
Dept.

Address: Box 19308, Arlington, TX
76019, Contact: Vic Argento, Phone:
(817) 273-3694.

(b) *Approved Courses:*

Contractor/Supervisor (full from 7/14/
88).

Contractor/Supervisor Refresher Course
(full from 9/26/88).

Inspector/Management Planner (full
from 10/19/87).

Inspector/Management Planner
Refresher Course (full from 9/26/88).

(73)(a) *Training Provider:* Veltmann
Engineering.

Address: Midland Air Park, P.O. Box
50741, Midland, TX 79710, Contact:
Clyde Veltmann, Phone: (915) 683-
1874.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
27/88).

Contractor/Supervisor (contingent from
7/27/88).

Contractor/Supervisor Refresher Course
(contingent from 8/8/89).

(74)(a) *Training Provider:* Young
Insulation Group of Amarillo, Inc.

Address: P.O. Box 5098, Amarillo, TX
79117, Contact: Dennis C. Clayton,
Phone: (806) 372-4329.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/
27/88).

Abatement Worker Refresher Course
(contingent from 7/27/88).

REGION VII -- Kansas City, KS

Regional Asbestos Coordinator:
Wolfgang Brandner, EPA, Region VII,
(ARTX), 726 Minnesota Ave., Kansas
City, KS 66101. (913) 551-7381, (FTS) 551-
7381.

List of Approved Courses: The
following training courses have been
approved by EPA. The courses are listed
under (b). This approval is subject to the
level of certification indicated after the
course name. Training Providers are
listed in alphabetical order and do not
reflect a prioritization. Approvals for
Region VII training courses and contact
points for each, are as follows:

(1)(a) *Training Provider:* AEROSTAT
Environmental Engineering Corporation.
Address: Box 3096, Lawrence, KS 66046,
Contact: Joseph Stimac, Phone: (913)
749-4747.

(b) *Approved Courses:*

Abatement Worker (full from 5/9/88).

Abatement Worker Refresher Course
(contingent from 3/3/89).

Abatement Worker Refresher Course
(full from 3/16/89).

Contractor/Supervisor (full from 5/9/
88).

Contractor/Supervisor Refresher Course
(contingent from 3/17/89).

Contractor/Supervisor Refresher Course
(full from 3/17/89).

Inspector/Management Planner
(contingent from 3/14/88).

Inspector/Management Planner (full
from 1/23/89).

Inspector/Management Planner
Refresher Course (contingent from 1/
13/89).

Inspector/Management Planner
Refresher Course (full from 2/14/89).

(2)(a) *Training Provider:* Abatement
Project Training.

Address: P.O. Box 4372, Kansas City, KS
66104, Contact: Virginia Ireton, Phone:
(913) 788-3440.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
15/88).

Abatement Worker (full from 4/27/89).

Abatement Worker Refresher Course
(contingent from 3/27/89).

Abatement Worker Refresher Course
(full from 4/29/89).

Contractor/Supervisor (contingent from
3/23/89).

Contractor/Supervisor (full from 4/28/
89).

Contractor/Supervisor Refresher Course
(contingent from 6/21/89).

Contractor/Supervisor Refresher Course
(full from 1/8/90).

(3)(a) *Training Provider:* Accredited
Project Design Environmental
Management.

Address: 1532 S.W. Clontarf, Topeka, KS
66611, Contact: Richard H. Pointer,
Phone: (913) 267-1549.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
16/89).

Abatement Worker (full from 2/8/90).

Abatement Worker Refresher Course
(contingent from 2/21/90).

Contractor/Supervisor (contingent from
11/16/89).

Contractor/Supervisor (full from 2/8/
90).

Contractor/Supervisor Refresher Course
(contingent from 2/15/90).

Inspector/Management Planner
(contingent from 11/16/89).

Inspector/Management Planner (full
from 1/22/90).

Inspector/Management Planner
Refresher Course (contingent from 2/
16/90).

(4)(a) *Training Provider:* American
Asbestos Training Center, Ltd.

Address: 529 West First, Monticello, IA
52310, Contact: Steve Intlekofer,
Phone: (319) 465-5555.

(b) *Approved Courses:*

Abatement Worker (full from 6/27/88).

Abatement Worker Refresher Course
(contingent from 6/23/89).

Abatement Worker Refresher Course
(full from 6/26/89).

Contractor/Supervisor (full from 6/27/
88).

Contractor/Supervisor Refresher Course
(contingent from 6/23/89).

Contractor/Supervisor Refresher Course
(full from 6/26/89).

Inspector/Management Planner
(contingent from 10/26/88).
Inspector/Management Planner (full
from 11/18/88).

Inspector/Management Planner
Refresher Course (contingent from 11/
10/89).

Inspector/Management Planner
Refresher Course (full from 11/16/89).

(5)(a) *Training Provider:* Asbestos
Consulting Testing (ACT).

Address: 14953 West 101st Ter., Lenexa,
KS 66215, Contact: Jim Pickel, Phone:
(913) 492-1337.

(b) *Approved Courses:*

Abatement Worker (full from 1/25/88).

Abatement Worker Refresher Course
(full from 1/6/89).

Contractor/Supervisor (full from 1/25/
88).

Contractor/Supervisor Refresher Course
(full from 1/6/89).

(6)(a) *Training Provider:* Baird
Scientific, Inc.

Address: 221 West Fourth St., P.O. Box
842, Carthage, MO 64836, Contact:
Mackie Redd, Phone: (417) 358-5567.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/
26/89).

Abatement Worker (full from 10/19/89).
Contractor/Supervisor (contingent from
9/26/89).

Contractor/Supervisor (full from 10/19/
89).

(7)(a) *Training Provider:* CHART
Services, Ltd.

Address: 4725 Merle Hay Rd., Suite 214,
Des Moines, IA 50322, Contact: Mary
A. Finn, Phone: (515) 276-3642.

(b) *Approved Courses:*

Abatement Worker (full from 11/17/87).

Abatement Worker Refresher Course
(full from 10/17/88).

Contractor/Supervisor (full from 11/17/
87).

Contractor/Supervisor Refresher Course
(full from 10/17/88).

Inspector/Management Planner (full
from 2/22/88).

Inspector/Management Planner
Refresher Course (full from 11/28/88).

(8)(a) *Training Provider:* Construction
Industry Laborers' Training Institute for
Eastern Missouri.

Address: Route 1, Box 79 H, High Hill,
MO 63350, Contact: Jerald A. Pelker,
Phone: (314) 585-2391.

(b) *Approved Courses:*

Abatement Worker (full from 1/19/88).

Abatement Worker Refresher Course
(contingent from 5/18/89).

Abatement Worker Refresher Course
(full from 5/31/89).

(9)(a) *Training Provider:* Construction
Laborers Building Corp.

Address: Box 34549, Omaha, NE 68134,
Contact: Jack Budd, Phone: (402) 572-
0826.

(b) *Approved Course:*

Abatement Worker (full from 11/2/87).

(10)(a) *Training Provider:* Educational
Innovations.

Address: 23 West 3rd St., Lee's Summit,
MO 64063, Contact: JoAnn Onwiler,
Phone: (816) 525-6911.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/
11/89).

Abatement Worker (full from 5/2/89).

Abatement Worker Refresher Course
(contingent from 3/29/89).

Abatement Worker Refresher Course
(full from 8/2/89).

Contractor/Supervisor (contingent from
4/11/89).

Contractor/Supervisor (full from 5/2/
89).

Contractor/Supervisor Refresher Course
(contingent from 3/29/89).

Contractor/Supervisor Refresher Course
(full from 8/2/89).

Project Designer Refresher Course
(contingent from 6/21/89).

Project Designer Refresher Course (full
from 7/31/89).

(11)(a) *Training Provider:* Enviro-
Impact Inspections, Inc.

Address: 1515 North Warson, Suite 213,
St. Louis, MO 63132, Contact: Denis
Boles, Phone: (314) 426-0087.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
8/88).

Contractor/Supervisor (contingent from
3/8/88).

(12)(a) *Training Provider:*

Environmental Salvage, Ltd.

Address: 4930 South 23rd St., Omaha,
NE 68107, Contact: Tracy L. Coats,
Phone: (402) 733-2595.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
12/89).

Abatement Worker (full from 2/16/89).

Abatement Worker Refresher Course
(contingent from 6/22/89).

Abatement Worker Refresher Course
(full from 8/1/89).

Contractor/Supervisor (contingent from
1/12/89).

Contractor/Supervisor (full from 2/16/
89).

Contractor/Supervisor Refresher Course
(contingent from 6/22/89).

Contractor/Supervisor Refresher Course
(full from 8/1/89).

(13)(a) *Training Provider:*

Environmental Technology, Inc. (ETI).

Address: 4315 Merriam Dr., Overland
Park, KS 66203, Contact: Mike Bouska,
Phone: (913) 236-5040.

(b) *Approved Courses:*

Abatement Worker (full from 2/29/88).

Abatement Worker Refresher Course
(contingent from 4/26/89).

Abatement Worker Refresher Course
(full from 7/18/89).

(14)(a) *Training Provider:* Flint Hills
Area Vocational-Technical School.

Address: 3301 West 18th Ave., Emporia,
KS 66801, Contact: Jim Krueger,
Phone: (316) 342-6404.

(b) *Approved Course:*

Abatement Worker (full from 3/7/88).

(15)(a) *Training Provider:* General
Services Administration (GSA)- Region
6 Safety & Environmental Management
Div.

Address: 1500 East Bannister Rd.,
Kansas City, MO 64131-3088, Contact:
Sharon Kersey, Phone: (816) 926-5318.

(b) *Approved Courses:*

Inspector/Management Planner (full
from 5/16/88).

Inspector/Management Planner
Refresher Course (contingent from 7/
18/89).

Inspector/Management Planner
Refresher Course (full from 8/29/89).

(16)(a) *Training Provider:* Greater
Kansas City Laborers Training Fund.

Address: 8944 Kaw Dr., Kansas City, KS
66111, Contact: James D. Barnett,
Phone: (913) 441-6100.

(b) *Approved Courses:*

Abatement Worker (full from 2/1/88).

Abatement Worker Refresher Course
(contingent from 6/19/89).

Abatement Worker Refresher Course
(full from 7/19/89).

Contractor/Supervisor (full from 5/2/
88).

Contractor/Supervisor Refresher Course
(contingent from 6/19/89).

Contractor/Supervisor Refresher Course
(full from 7/20/89).

(17)(a) *Training Provider:* Hall-
Kimbrell Environmental Services.

Address: 4840 West 15th St., Lawrence,
KS 66049, Contact: Alice Hart, Phone:
(800) 637-0129.

(b) *Approved Courses:*

Abatement Worker (full from 8/17/87).

Abatement Worker Refresher Course
(contingent from 9/19/88).

Abatement Worker Refresher Course
(full from 10/19/88).

Contractor/Supervisor (full from 8/17/
87).

Contractor/Supervisor Refresher Course
(contingent from 9/19/88).

Contractor/Supervisor Refresher Course
(full from 10/20/88).

Inspector/Management Planner (full
from 8/17/87).

Inspector/Management Planner Refresher Course (full from 9/19/88).
Project Designer (full from 8/17/87).
Project Designer Refresher Course (contingent from 9/19/88).

Project Designer Refresher Course (full from 12/20/88).

(18)(a) *Training Provider:* Hazard Control Training Enterprises, Inc.

Address: P.O. Box 20594, Wichita, KS 67208, Contact: Karen Alexander, Phone: (316) 778-1153.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/19/88 to 12/8/88 only).

Contractor/Supervisor (contingent from 10/19/88 to 12/7/88 only).

(19)(a) *Training Provider:* Hazardous Materials Training & Research Institute.

Address: 308 West River Dr., Davenport, IA 52801-1221, Contact: Kirk Barkdoll, Phone: (319) 322-5015.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/6/89).

Abatement Worker (full from 4/13/89).

Contractor/Supervisor (contingent from 6/8/89).

Contractor/Supervisor (full from 7/21/89).

(20)(a) *Training Provider:* Insulators & Asbestos Workers Midwest States Health & Training Council.

Address: Rural Route 2, Wahoo, NE 68066, Contact: Ray Richmond, Phone: (402) 443-4810.

(b) *Approved Courses:*

Abatement Worker (full from 6/28/88).

Abatement Worker Refresher Course (contingent from 4/4/89).

Abatement Worker Refresher Course (full from 4/24/89).

Contractor/Supervisor (full from 6/28/88).

Contractor/Supervisor Refresher Course (contingent from 4/4/89).

Contractor/Supervisor Refresher Course (full from 4/24/89).

(21)(a) *Training Provider:*

International Association of Heat & Frost Insulators & Asbestos Workers Local No.1.

Address: 3325 Hallenberg Dr., St. Louis, MO 63044, Contact: James M. Hagen, Phone: (314) 291-7399.

(b) *Approved Courses:*

Abatement Worker (full from 6/6/88).

Abatement Worker Refresher Course (contingent from 6/28/89).

Abatement Worker Refresher Course (full from 6/30/89).

Contractor/Supervisor (full from 9/16/88).

Contractor/Supervisor Refresher Course (contingent from 8/14/89).

Contractor/Supervisor Refresher Course (full from 8/18/89).

(22)(a) *Training Provider:* Iowa Dept. of Education.

Address: Grimes State Office Bldg., Des Moines, IA 50319, Contact: C. Milt Wilson, Phone: (515) 281-4743.

(b) *Approved Course:*

Inspector/Management Planner (full from 4/4/88).

(23)(a) *Training Provider:* Iowa Laborers District Council Training Fund.

Address: 5806 Meredith Dr., Suite B, Des Moines, IA 50322, Contact: Jack G. Jones, Phone: (515) 270-6965.

(b) *Approved Courses:*

Abatement Worker (full from 2/22/88).

Abatement Worker Refresher Course (contingent from 11/10/89).

Abatement Worker Refresher Course (full from 11/14/89).

Contractor/Supervisor (contingent from 10/14/88).

Contractor/Supervisor (full from 12/6/89).

(24)(a) *Training Provider:* Kansas Construction Laborers' Training Trust Fund.

Address: 2430 Marlatt Ave., Manhattan, KS 66502, Contact: Fred Tipton, Phone: (913) 267-0140.

(b) *Approved Courses:*

Abatement Worker (full from 1/5/88).

Abatement Worker Refresher Course (contingent from 6/19/89).

Abatement Worker Refresher Course (full from 7/19/89).

Contractor/Supervisor (full from 5/2/88).

Contractor/Supervisor Refresher Course (contingent from 6/19/89).

Contractor/Supervisor Refresher Course (full from 7/20/89).

(25)(a) *Training Provider:* Kansas State University.

Address: Division of Facilities Management, Dykstra Hall, Manhattan, KS 66506, Contact: Robert D. Williams, Phone: (913) 532-6369.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/27/89).

Abatement Worker (full from 2/8/90).

Abatement Worker Refresher Course (contingent from 1/3/90).

Abatement Worker Refresher Course (full from 2/8/90).

(26)(a) *Training Provider:* Living Word College.

Address: 2750 McKelvey Rd., St. Louis, MO 63043, Contact: Donald C. Femmer, Phone: (314) 291-2749.

(b) *Approved Course:*

Inspector/Management Planner (Approval Revoked 5/6/88).

(27)(a) *Training Provider:* MITON, Inc. Address: 205 W. Walnut, Springfield, MO 65806, Contact: Barry Mills, Phone: (417) 831-4647.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/14/89).

Abatement Worker (full from 5/15/89).

Contractor/Supervisor (contingent from 4/14/89).

Contractor/Supervisor (full from 5/15/89).

Inspector/Management Planner (full from 3/14/88).

Inspector/Management Planner Refresher Course (contingent from 3/30/89).

Inspector/Management Planner Refresher Course (full from 4/3/89).

(28)(a) *Training Provider:* Maple Woods Community College.

Address: 10771 Ambassador Dr., Kansas City, MO 64153, Contact: James C. Lauer, Phone: (816) 891-6500.

(b) *Approved Courses:*

Abatement Worker (full from 2/1/88).

Abatement Worker Refresher Course (full from 1/13/89).

Contractor/Supervisor (full from 3/28/88).

Contractor/Supervisor Refresher Course (full from 1/13/89).

Inspector/Management Planner (contingent from 4/20/88).

Inspector/Management Planner (full from 5/2/88).

Inspector/Management Planner Refresher Course (contingent from 7/27/89).

Inspector/Management Planner Refresher Course (full from 7/28/89).

(29)(a) *Training Provider:* Mayhew Environmental Training Associates, Inc., (META).

Address: P.O. Box 1961, Lawrence, KS 66044, Contact: Brad Mayhew/Betty Fenstermaker, Phone: (800) 444-6382.

(b) *Approved Courses:*

Abatement Worker (full from 10/20/87).

Abatement Worker Refresher Course (full from 11/14/88).

Contractor/Supervisor (full from 10/20/87).

Contractor/Supervisor Refresher Course (full from 11/14/88).

Inspector/Management Planner (full from 8/8/88).

Inspector/Management Planner Refresher Course (full from 1/30/89).

(30)(a) *Training Provider:* Midwest Environmental Testing & Training, Inc.

Address: 635 Southwest 2nd St., Box 1029, Lee's Summit, MO 64063, Contact: Steve Minshall, Phone: (816) 525-6681.

(b) Approved Courses:

Abatement Worker (full from 5/9/88 to 6/5/89 only).
 Abatement Worker Refresher Course (contingent from 4/28/89 to 6/5/89 only).
 Contractor/Supervisor (full from 5/9/88 to 6/5/89 only).
 Contractor/Supervisor Refresher Course (contingent from 4/28/89 to 6/5/89 only).

(31)(a) *Training Provider:* National Asbestos Training Center, University of Kansas.

Address: 6600 College Blvd., Suite 315, Overland Park, KS 66211, Contact: Karen Wilson, Phone: (913) 491-0181.

(b) Approved Courses:

Abatement Worker (full from 7/27/87).
 Abatement Worker Refresher Course (contingent from 10/5/88).
 Abatement Worker Refresher Course (full from 9/26/89).
 Contractor/Supervisor (interim from 6/1/85 to 7/26/87).
 Contractor/Supervisor (full from 7/27/87).
 Contractor/Supervisor Refresher Course (contingent from 10/5/88).
 Contractor/Supervisor Refresher Course (full from 1/25/89).
 Inspector/Management Planner (full from 10/26/87).
 Inspector/Management Planner Refresher Course (contingent from 10/5/88).
 Inspector/Management Planner Refresher Course (full from 1/25/89).

(32)(a) *Training Provider:* Occu-Tech, Inc.

Address: 1575 Universal Ave., Suite 258, Kansas City, MO 64120, Contact: Duncan Heydon, Phone: (816) 231-5580.

(b) Approved Courses:

Abatement Worker (contingent from 1/29/90).
 Abatement Worker Refresher Course (contingent from 1/29/90).
 Abatement Worker Refresher Course (full from 4/2/90).
 Contractor/Supervisor (contingent from 1/29/90).
 Contractor/Supervisor Refresher Course (contingent from 1/29/90).
 Contractor/Supervisor Refresher Course (full from 4/2/90).
 Inspector/Management Planner (contingent from 1/29/90).
 Inspector/Management Planner Refresher Course (contingent from 1/29/90).
 Inspector/Management Planner Refresher Course (full from 4/2/90).

(33)(a) *Training Provider:* PS&H Inc.
 Address: 1810 Craig Rd., Suite 114, St. Louis, MO 63146, Contact: Carol E. Hoag, Phone: (314) 275-7733.

(b) Approved Courses:

Abatement Worker (full from 11/2/89).
 Abatement Worker Refresher Course (contingent from 9/14/89).
 Abatement Worker Refresher Course (full from 11/2/89).
 Contractor/Supervisor (full from 11/28/88).
 Contractor/Supervisor Refresher Course (contingent from 9/14/89).
 Contractor/Supervisor Refresher Course (full from 11/2/89).
 Inspector/Management Planner (full from 6/23/88).

Inspector/Management Planner Refresher Course (contingent from 1/19/89).

Inspector/Management Planner Refresher Course (full from 3/2/89).

(34)(a) Training Provider:

Performance Abatement Services, Inc.
 Address: 14801 West 99th St., P.O. Box 19328, Lenexa, KS 66215, Contact: Robert Bornkessel, Phone: (913) 838-2423.

(b) Approved Courses:

Contractor/Supervisor (contingent from 7/6/89).
 Contractor/Supervisor (full from 7/27/89).

(35)(a) *Training Provider:* Ramsey - Schilling Consulting Group Inc.

Address: 503 Main, Belton, MO 64012, Contact: George McDowell, Phone: (816) 331-0002.

(b) Approved Course:

Inspector (contingent from 1/30/90).

(36)(a) *Training Provider:* Roth Asbestos Consultants, Inc.

Address: 1900 West 47th Pl., Westwood, KS 66205, Contact: Donald J. Welsh, Phone: (913) 831-4795.

(b) Approved Courses:

Abatement Worker (contingent from 3/9/89).
 Abatement Worker (full from 3/13/89).
 Abatement Worker Refresher Course (contingent from 8/15/89).
 Abatement Worker Refresher Course (full from 7/24/89).
 Contractor/Supervisor (contingent from 5/16/89).
 Contractor/Supervisor (full from 7/20/89).
 Contractor/Supervisor Refresher Course (contingent from 5/18/89).
 Contractor/Supervisor Refresher Course (full from 7/24/89).
 Inspector/Management Planner Refresher Course (contingent from 1/19/89).
 Inspector/Management Planner Refresher Course (full from 1/23/89).

(37)(a) *Training Provider:* Ryckman's Emergency Action & Consulting Team (REACT).

Address: 2208 Welsch Industrial Ct., St. Louis, MO 63146, Contact: Nicolaus P. Neuman, Phone: (800) 325-1398.

(b) Approved Courses:

Abatement Worker (full from 7/26/88).
 Abatement Worker Refresher Course (contingent from 4/26/89).
 Abatement Worker Refresher Course (full from 8/3/89).
 Contractor/Supervisor (full from 7/26/88).
 Contractor/Supervisor Refresher Course (contingent from 4/26/89).
 Contractor/Supervisor Refresher Course (full from 8/4/89).

REGION VIII -- Denver, CO

Regional Asbestos Coordinator: David Combs, (8AT-TS), EPA, Region VIII, 1 Denver Place, 999-18th St., Suite 500, Denver, CO 80202-2413. (303) 293-1442, (FTS) 330-1442.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region VIII training courses and contact points for each, are as follows.

(1)(a) *Training Provider:* Acme Asbestos Removal.

Address: 9101 Pearl St., Suite 307, Thornton, CO 80229, Contact: Eugene Aragon, Phone: (303) 450-5026.

(b) Approved Courses:

Abatement Worker (contingent from 7/26/89).
 Abatement Worker (full from 11/22/89).
 Abatement Worker Refresher Course (contingent from 5/31/89).
 Contractor/Supervisor (contingent from 7/26/89).
 Contractor/Supervisor (full from 11/22/89).

(2)(a) *Training Provider:* Asbestos Training & Supply.

Address: 504 Saddle Dr., Cheyenne, WY 82009, Contact: F. Gerald Blackwell, Phone: (307) 634-6858.

(b) Approved Course:

Abatement Worker (contingent from 5/2/89).

(3)(a) *Training Provider:* Chen-Northern, Inc.

Address: P.O. Box 30615, Billings, MT 59107, Contact: Kathleen A. Smit, Phone: (406) 248-9161.

(b) Approved Courses:

Abatement Worker (contingent from 10/1/87).
 Abatement Worker (full from 1/11/90).

Abatement Worker Refresher Course
(contingent from 2/16/89).
Contractor/Supervisor (contingent from
10/31/88).

Contractor/Supervisor (full from 1/11/
90).
Contractor/Supervisor Refresher Course
(contingent from 5/31/89).

(4)(a) *Training Provider:* Colorado
Carpenters Statewide Joint
Apprenticeship Educational & Training
Committee.

Address: 4290 Holly St., Denver, CO
80216, Contact: Stephen L. Sanford,
Phone: (303) 393-6060.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
1/88).

Abatement Worker (full from 12/19/88).

(5)(a) *Training Provider:* Colorado
Laborers' & Contractors' Education &
Training Fund.

Address: 10505 Havana, Brighton, CO
80601, Contact: James Zancanaro,
Phone: (303) 287-3116.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
16/89).

Abatement Worker (full from 2/16/89).

(6)(a) *Training Provider:* Colorado
State University Dept. of Industrial
Sciences.

Address: Fort Collins, CO 80523,
Contact: Birgit Wolff, Phone: (303) 491-
7240.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/
23/88).

Abatement Worker Refresher Course
(contingent from 12/9/88).

Contractor/Supervisor (contingent from
12/29/88).

Contractor/Supervisor Refresher Course
(contingent from 12/9/88).

Inspector/Management Planner
(contingent from 3/14/88).

Inspector/Management Planner (full
from 5/23/88).

Inspector/Management Planner
Refresher Course (contingent from 12/
9/88).

Inspector/Management Planner
Refresher Course (full from 1/17/89).

(7)(a) *Training Provider:* Colorado
Training Institute.

Address: 1210 East Colfax, Suite 306,
Denver, CO 80218, Contact: Janet
Amos, Phone: (303) 860-0574.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
31/88).

Abatement Worker Refresher Course
(contingent from 12/29/88).

Contractor/Supervisor (contingent from
10/31/88).

Contractor/Supervisor Refresher Course
(contingent from 12/29/88).

(8)(a) *Training Provider:* Energy
Insulation, Inc. (EII).

Address: P.O. Box 1996, Casper, WY
82602, Contact: David K. Fox, Phone:
(307) 473-1247.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/
18/88).

Abatement Worker (full from 6/22/88).

(9)(a) *Training Provider:* Engineering
Extension College of Engineering South
Dakota State University.

Address: Box 2218, Brookings, SD 57007-
0597, Contact: James Ceglian, Phone:
(605) 688-4101.

(b) *Approved Courses:*

Contractor/Supervisor (contingent from
5/18/88).

Inspector/Management Planner
(contingent from 5/18/88).

(10)(a) *Training Provider:* Envir-o-
Tech.

Address: 300 Moore Ln., Billings, MT
59102, Contact: Leonard Cranford,
Phone: (406) 252-7538.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
13/88).

Abatement Worker (full from 7/6/88).

(11)(a) *Training Provider:* Front Range
Community College.

Address: 3645 West 112 Ave.,
Westminster, CO 80030, Contact:
Gwen Burton, Phone: (303) 466-8811.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
13/88).

Abatement Worker (full from 4/7/89).

Abatement Worker Refresher Course
(contingent from 2/28/89).

Contractor/Supervisor (contingent from
2/28/89).

Contractor/Supervisor (full from 4/7/
89).

Contractor/Supervisor Refresher Course
(contingent from 2/28/89).

Inspector/Management Planner
(contingent from 2/28/89).

Inspector/Management Planner (full
from 1/26/90).

Inspector/Management Planner
Refresher Course (contingent from 2/
28/89).

(12)(a) *Training Provider:* HWS
Technologies, Inc.

Address: 9101 East Kenyon Ave., Suite
1600, Denver, CO 80237, Contact:
William C. Oleskevich, Phone: (303)
771-6868.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
28/89).

Abatement Worker (full from 4/7/89).

Abatement Worker Refresher Course
(contingent from 2/28/89).

Abatement Worker Refresher Course
(full from 6/29/89).

Contractor/Supervisor (contingent from
2/28/89).

Contractor/Supervisor (full from 4/7/
89).

Contractor/Supervisor Refresher Course
(contingent from 2/28/89).

Contractor/Supervisor Refresher Course
(full from 6/29/89).

Inspector/Management Planner
(contingent from 2/28/89).

Inspector/Management Planner
Refresher Course (contingent from 2/
28/89).

Inspector/Management Planner
Refresher Course (full from 6/29/89).

(13)(a) *Training Provider:* Hager
Laboratories, Inc.

Address: 5930 McIntire St., P.O. Box
4012, Golden, CO 80403, Contact:
Charles Metzger & D. Robinson,
Phone: (303) 278-3400.

(b) *Approved Courses:*

Abatement Worker (full from 3/28/88).

Abatement Worker Refresher Course
(contingent from 10/7/88).

Abatement Worker Refresher Course
(full from 4/28/89).

Contractor/Supervisor (full from 3/28/
88).

Contractor/Supervisor Refresher Course
(contingent from 10/7/88).

Contractor/Supervisor Refresher Course
(full from 1/25/89).

Inspector/Management Planner
(contingent from 4/20/88).

Inspector/Management Planner (full
from 5/2/88).

Inspector/Management Planner
Refresher Course (contingent from 10/
7/88).

Inspector/Management Planner
Refresher Course (full from 12/6/89).

(14)(a) *Training Provider:* Industrial
Health, Inc. (IHI).

Address: 640 East Wilmington Ave., Salt
Lake City, UT 84106, Contact: Donald
E. Marano, Phone: (801) 466-2223.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
4/89).

Abatement Worker (full from 11/13/89).

Abatement Worker Refresher Course
(contingent from 6/15/89).

Contractor/Supervisor (contingent from
4/22/88).

Contractor/Supervisor (full from 11/13/
89).

Contractor/Supervisor Refresher Course
(contingent from 4/24/89).

Inspector/Management Planner
(contingent from 2/28/89).

Inspector/Management Planner (full from 4/17/89).

Inspector/Management Planner Refresher Course (contingent from 12/29/88).

Inspector/Management Planner Refresher Course (full from 1/6/89).

Project Designer Refresher Course (contingent from 4/24/89).

(15)(a) *Training Provider:* International Association of Heat & Frost Insulators & Asbestos Workers Local Union No. 28.
Address: 360 Acoma St., Suite 216, Denver, CO 80223, Contact: Chet Graham & Pat Pfeifer, Phone: (303) 778-8602.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/28/89).

Abatement Worker (full from 4/28/89).

Abatement Worker Refresher Course (full from 7/21/89).

(16)(a) *Training Provider:* Laborers AGC Training Program for Montana.
Address: Rural Route 2, Box 221D, Helena, MT 59601, Contact: Eugene Fenderson, Phone: (406) 442-1441.

(b) *Approved Course:*

Abatement Worker (contingent from 9/19/88).

(17)(a) *Training Provider:* Major Environmental & Training Services, Inc.
Address: 100 Garfield St., Suite 100, Denver, CO 80206, Contact: Tom Major Sr., Phone: (303) 322-9490.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/28/88).

Abatement Worker (full from 9/15/88).

Abatement Worker Refresher Course (contingent from 1/18/89).

Contractor/Supervisor (contingent from 4/14/88).

Contractor/Supervisor (full from 9/5/88).

Contractor/Supervisor Refresher Course (contingent from 1/18/89).

Inspector/Management Planner (contingent from 1/2/88).

Inspector/Management Planner (full from 3/27/89).

Inspector/Management Planner Refresher Course (contingent from 1/18/89).

Project Designer (contingent from 1/28/88).

Project Designer Refresher Course (contingent from 1/18/89).

(18)(a) *Training Provider:* Midwest Asbestos Consultants, Inc. (MAC).
Address: 219 23rd St. North, Box 1708, Fargo, ND 58107, Contact: Jerry Day, Phone: (701) 280-2286.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 5/23/89).

Abatement Worker Refresher Course (contingent from 7/31/89).

(19)(a) *Training Provider:* Misers Inspection & Training, Inc.
Address: 1600 South Cherokee St., Denver, CO 80223, Contact: Michael E. DiRito, Phone: (303) 761-0367.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/17/88).

Abatement Worker (full from 7/5/88).

Abatement Worker Refresher Course (contingent from 11/14/88).

Abatement Worker Refresher Course (full from 1/27/89).

Contractor/Supervisor (contingent from 6/17/88).

Contractor/Supervisor (full from 7/5/88).

Contractor/Supervisor Refresher Course (contingent from 11/14/88).

Contractor/Supervisor Refresher Course (full from 1/27/89).

(20)(a) *Training Provider:* NATEC International, Inc.
Address: 2761 West Oxford Ave., No. 7, Englewood, CO 80110, Contact: Lester Ablin, Phone: (303) 781-0422.

(b) *Approved Courses:*

Abatement Worker (contingent from 4/15/88).

Inspector/Management Planner (contingent from 6/2/89).

(21)(a) *Training Provider:* National Education Program for Asbestos (NEPA).
Address: 2863 #SGWest 8750 S., West Jordan, UT 84088, Contact: Mark A. Kirk, Phone: (801) 565-1400.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/6/89).

Abatement Worker (full from 6/22/89).

Abatement Worker Refresher Course (contingent from 5/22/89).

Contractor/Supervisor (contingent from 5/22/89).

Contractor/Supervisor (full from 6/22/89).

(22)(a) *Training Provider:* Power Master, Inc.
Address: 13205 Minuteman Drive, Draper, UT 84020, Contact: Brian Welty, Phone: (801) 571-9321.

(b) *Approved Course:*

Abatement Worker (contingent from 6/13/88).

(23)(a) *Training Provider:* Precision Safety & Services, Inc.
Address: 1045 Garden of Gods Rd. T, Colorado Springs, CO 80907, Contact: James R. Mapes, Jr., Phone: (719) 593-8596.

(b) *Approved Courses:*

Abatement Worker (contingent from 8/11/88).

Abatement Worker (full from 11/2/88).

(24)(a) *Training Provider:* R.S. Christiansen Asbestos Consultant.
Address: 4980 Holladay Blvd., Salt Lake City, UT 84117, Contact: R.S. Christiansen, Phone: (801) 572-2910.

(b) *Approved Courses:*

Abatement Worker (contingent from 7/29/88).

Abatement Worker (full from 12/7/88).

(25)(a) *Training Provider:* Survey Management & Design (SMD).
Address: RR 2, Box 85-B, Fargo, ND 58102, Contact: David A. Sohm, Phone: (701) 234-9556.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/2/89).

Contractor/Supervisor (contingent from 3/2/89).

Contractor/Supervisor (full from 5/2/89).

Inspector/Management Planner (contingent from 9/14/89).

Inspector/Management Planner (full from 10/15/89).

(26)(a) *Training Provider:* The Environmental Training Center.
Address: 2761 W. Oxford Ave., No. 7, Englewood, CO 80110, Contact: Les Ablin, Phone: (303) 781-0422.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/21/89).

Contractor/Supervisor (contingent from 9/21/89).

(27)(a) *Training Provider:* University of Utah, Rocky Mountain Center for Occupational & Environmental Health.
Address: Dept. of Family & Preventive Medicine, Building 512, Salt Lake City, UT 84112, Contact: Jeffery S. Lee, Phone: (801) 581-5710.

(b) *Approved Courses:*

Abatement Worker (contingent from 9/27/88).

Abatement Worker (full from 9/27/88).

Contractor/Supervisor (contingent from 6/1/87).

Contractor/Supervisor (full from 6/1/87).

Contractor/Supervisor Refresher Course (contingent from 6/7/88).

Contractor/Supervisor Refresher Course (full from 11/13/88).

Inspector/Management Planner (contingent from 12/23/87).

Inspector/Management Planner (full from 2/8/88).

Inspector/Management Planner Refresher Course (contingent from 12/9/88).

Inspector/Management Planner
Refresher Course (full from 12/14/88).

REGION IX -- San Francisco, CA

Regional Asbestos Coordinator: Jo Ann Semones, (A-4-4), EPA, Region IX, 1235 Mission St., San Francisco, CA 94103. (415) 556-5406, (FTS) 556-5406.

List of Asbestos Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region IX training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* Ahearn & Associates, Inc.
Address: 4047 E Rancho Drive, Phoenix, AZ 85018, Contact: Robert L. Hutz, Phone: (602) 759-0235.

(b) *Approved Courses:*
Contractor/Supervisor (contingent from 10/18/89).
Contractor/Supervisor Refresher Course (contingent from 10/18/89).
Inspector/Management Planner (contingent from 10/18/89).
Inspector/Management Planner Refresher Course (contingent from 10/18/89).

(2)(a) *Training Provider:* Arizona Carpenters Joint Apprenticeship & Training Committee.

Address: 2625 W. Holly, Phoenix, AZ 85009, Contact: Thomas E. Quine, Phone: (602) 272-6547.

(b) *Approved Course:*
Contractor/Supervisor (contingent from 10/18/89).

(3)(a) *Training Provider:* Arizona Laborers' Joint Training Center.
Address: P.O. Box 565, Chino Valley, AZ 86323, Contact: Bill Hadley, Phone: (602) 636-2532.

(b) *Approved Course:*
Abatement Worker (contingent from 10/18/89).

(4)(a) *Training Provider:* Asbestos C.T.I.
Address: P.O. Box 228, Mokelumne Hill, CA 95245, Contact: Lee Hess, Phone: (209) 286-1249.

(b) *Approved Courses:*
Abatement Worker (contingent from 10/31/89).
Abatement Worker Refresher Course (contingent from 10/31/89).
Contractor/Supervisor (contingent from 10/31/89).
Contractor/Supervisor Refresher Course (contingent from 10/31/89).
Inspector (contingent from 3/21/89).
Inspector Refresher Course (contingent from 10/31/89).

(5)(a) *Training Provider:* Asbestos Seminars and Consulting.
Address: 3445 32nd St., San Diego, CA 92104, Contact: Mary Lacey, Phone: (619) 281-3841.

(b) *Approved Courses:*
Abatement Worker (contingent from 10/18/89).
Abatement Worker Refresher Course (contingent from 12/6/89).
Contractor/Supervisor (contingent from 10/18/89).
Contractor/Supervisor Refresher Course (contingent from 12/6/89).
Inspector/Management Planner (contingent from 10/18/89).
Inspector/Management Planner Refresher Course (contingent from 10/18/89).

(6)(a) *Training Provider:* Asbestos Training Institute.

Address: 210 S. Lafayette Park Pl., Suite 205, Los Angeles, CA 90057, Contact: Rayode Akinrele, Phone: (213) 525-0166.

(b) *Approved Courses:*
Abatement Worker (contingent from 10/18/89).
Contractor/Supervisor (contingent from 10/18/89).

(7)(a) *Training Provider:* Asbestos Workers Training Program of Southern California.

Address: 1669 East Lincoln Ave., Orange, CA 92655-1929, Contact: James Riley, Phone: (714) 921-8110.

(b) *Approved Courses:*
Abatement Worker (contingent from 6/1/88).
Abatement Worker Refresher Course (contingent from 10/18/89).
Contractor/Supervisor (contingent from 1/26/89).
Contractor/Supervisor Refresher Course (contingent from 10/18/89).

(8)(a) *Training Provider:* California State University Sacramento.
Address: 650 University Ave., Suite 101A, Sacramento, CA 95825, Contact: Jackie Branch, Phone: (916) 923-0282.

(b) *Approved Courses:*
Abatement Worker (contingent from 10/18/89).
Abatement Worker Refresher Course (contingent from 12/7/89).
Contractor/Supervisor (contingent from 10/18/89).
Contractor/Supervisor Refresher Course (contingent from 12/7/89).

(9)(a) *Training Provider:* Carpenters No. 46 Northern California Counties J.A.T.C. & T.B.

Address: 2350 Santa Rita Rd., Pleasanton, CA 94566-4190, Contact: Hugh Johnson, Phone: (415) 462-9640.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/31/89).
Abatement Worker Refresher Course (contingent from 12/7/89).
Contractor/Supervisor (contingent from 12/1/88).
Contractor/Supervisor Refresher Course (contingent from 12/7/89).
(10)(a) *Training Provider:* Center for Accelerated Learning.

Address: 400 Buck Ave., Suite G, Vacaville, CA 95688, Contact: David Esparza, Phone: (707) 446-7998.

(b) *Approved Courses:*
Abatement Worker (contingent from 6/1/88).
Abatement Worker Refresher Course (contingent from 12/15/88).
Contractor/Supervisor (contingent from 6/1/88).
Contractor/Supervisor Refresher Course (contingent from 12/15/88).
Inspector/Management Planner (contingent from 6/30/88).
Inspector/Management Planner Refresher Course (contingent from 12/7/89).
Project Designer (contingent from 10/18/89).
Project Designer Refresher Course (contingent from 10/18/89).

(11)(a) *Training Provider:* DWC Consulting Co., Inc.

Address: 1250 Pine St., Suite 307, Walnut Creek, CA 94596, Contact: Dan Weathers, Phone: (415) 933-9066.

(b) *Approved Courses:*
Abatement Worker (contingent from 4/3/89).
Abatement Worker Refresher Course (contingent from 10/18/89).
Contractor/Supervisor (contingent from 4/3/89).
Contractor/Supervisor Refresher Course (contingent from 10/18/89).
Inspector/Management Planner (contingent from 4/3/89).
Inspector/Management Planner Refresher Course (contingent from 10/18/89).

(12)(a) *Training Provider:* Dan Napier & Associates.

Address: 15342 Hawthorne Blvd., Suite 207, P.O. Box 1540, Lawndale, CA 90260-6440, Contact: Dan Napier, Phone: (213) 644-1924.

(b) *Approved Courses:*
Abatement Worker (contingent from 1/18/88).
Abatement Worker Refresher Course (contingent from 1/18/89).
Contractor/Supervisor (contingent from 3/27/89).

Contractor/Supervisor Refresher Course
(contingent from 1/18/89).

Inspector/Management Planner
(contingent from 4/3/89).

Inspector/Management Planner
Refresher Course (contingent from 3/
30/89).

Project Designer Refresher Course
(contingent from 3/30/89).

(13)(a) *Training Provider:* Design for
Health.

Address: 1516 West Redwood, Suite 104,
San Diego, CA 92101, Contact: Mary
A. Lacy, R.N., Phone: (619) 528-0196.

(b) *Approved Courses:*

Abatement Worker (contingent from 11/
30/89).

Abatement Worker Refresher Course
(contingent from 12/6/89).

Contractor/Supervisor (contingent from
10/18/89).

Contractor/Supervisor Refresher Course
(contingent from 12/6/89).

Inspector/Management Planner
(contingent from 11/30/89).

(14)(a) *Training Provider:* Diagnostic
Engineering, Inc.

Address: 50 East Foothill Blvd., Arcadia,
CA 91006, Contact: Alan M. Lamson,
Phone: (818) 447-5216.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
27/88).

Contractor/Supervisor (contingent from
6/27/88).

Inspector/Management Planner
(contingent from 6/27/88).

Inspector/Management Planner
Refresher Course (contingent from 4/
18/89).

Project Designer (contingent from 12/1/
88).

Project Designer Refresher Course
(contingent from 10/18/89).

(15)(a) *Training Provider:* Eagle
Environmental.

Address: 8840 A Elder Creek Rd.,
Sacramento, CA 95828, Contact: Larry
West, Phone: (916) 381-5548.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
18/89).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
10/18/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

Inspector/Management Planner
(contingent from 10/18/89).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

Project Designer (contingent from 10/18/
89).

Project Designer Refresher Course
(contingent from 10/18/89).

(16)(a) *Training Provider:* Enviro Med.
Address: 2200 E River Rd., Suite 122,
Tucson, AZ 85718, Contact: Elizabeth
Shanley, Phone: (602) 577-0818.

(b) *Approved Courses:*

Contractor/Supervisor Refresher Course
(contingent from 12/6/89).

Inspector/Management Planner
Refresher Course (contingent from 12/
6/89).

(17)(a) *Training Provider:* EnviroMD,
Inc.

Address: 3443 East Fort Lowell Rd.,
Tucson, AZ 85716, Contact: Thomas
Mc Mannus, Phone: (602) 881-1000.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
15/89).

Contractor/Supervisor (contingent from
1/17/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

Inspector/Management Planner
(contingent from 11/14/88).

Inspector/Management Planner
Refresher Course (contingent from 10/
18/89).

(18)(a) *Training Provider:*

Environmental Control Industries.

Address: 5720 Shattuck Ave., Oakland,
CA 94609, Contact: Richard
McGlothlin, Phone: (415) 655-5855.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
1/88).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
10/31/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(19)(a) *Training Provider:*

Environmental Sciences, Inc.

Address: 105 E. Speedway, Tucson, AZ
85705, Contact: Dale Keyes, Phone:
(602) 792-0097.

(b) *Approved Courses:*

Inspector/Management Planner
(contingent from 9/29/87).

Inspector/Management Planner (full
from 10/5/87).

Inspector/Management Planner
Refresher Course (contingent from 11/
14/88).

(20)(a) *Training Provider:* Excel
Environmental, Inc.

Address: 739 Allston Way, Berkeley, CA
94710, Contact: Otis Wong, Phone:
(415) 548-4300.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
28/87).

Abatement Worker Refresher Course
(contingent from 12/1/88).

Contractor/Supervisor (contingent from
6/1/88).

Contractor/Supervisor Refresher Course
(contingent from 12/1/88).

(21)(a) *Training Provider:* Hawaii
Laborers Training School.

Address: P.O. Box 457, Aiea, HI 96701,
Contact: Norman Jimeno, Phone: (808)
488-6161.

(b) *Approved Courses:*

Abatement Worker (contingent from 5/
27/88).

Abatement Worker Refresher Course
(contingent from 10/18/89).

(22)(a) *Training Provider:* Herring &
Herring.

Address: No. 9 Grits Court, Sacramento,
CA 95823, Contact: Leslie Herring,
Phone: (916) 421-6260.

(b) *Approved Courses:*

Abatement Worker (contingent from 1/
2/90).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
1/2/90).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(23)(a) *Training Provider:* INFOTOX.

Address: 8531 Mission Blvd, Suite 24,
Riverside, CA 92509, Contact: Paul
Jackson, Phone: (714) 685-5053.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
18/89).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
10/18/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

(24)(a) *Training Provider:* Insulators &
Asbestos Industry of Northern
California & Local Union No. 16
Asbestos Training Fund.

Address: 2033 Clement Ave., Building 31,
Room 112, Alameda, CA 94501,
Contact: Hans D. Siebert, Phone: (415)
865-2292.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
1/88).

Contractor/Supervisor (contingent from
10/31/89).

(25)(a) *Training Provider:*
International Technology Corp.

Address: 336 West Anaheim St.,
Wilmington, CA 90748, Contact: Keith
Soebe, Phone: (213) 830-1781.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
24/87).

Abatement Worker Refresher Course
(contingent from 3/29/89).

Contractor/Supervisor (contingent from
4/15/88).

Contractor/Supervisor Refresher Course
(contingent from 3/29/89).

(26)(a) *Training Provider:* KELCO
Training Institute.

Address: 44814 Osgood Rd., Fremont,
CA 94539, Contact: Charles W.
Kellogg, Phone: (415) 659-9751.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
1/88).

Contractor/Supervisor (contingent from
7/20/88).

Contractor/Supervisor Refresher Course
(contingent from 10/31/88).

Inspector/Management Planner
(contingent from 3/21/89).

Inspector/Management Planner
Refresher Course (contingent from 3/
16/89).

(27)(a) *Training Provider:* Laborers
Training & Retraining Trust Fund for
Northern California.

Address: 21321 San Ramon Valley Blvd.,
San Ramon, CA 94583, Contact: Monte
R. Strother, Phone: (415) 828-2513.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
13/88).

Abatement Worker Refresher Course
(contingent from 12/15/88).

(28)(a) *Training Provider:* Laborers
Training & Retraining Trust Fund for
Southern California.

Address: P.O. Box 76, Anza, CA 92306-
0076, Contact: Don Sanders, Phone:
(714) 763-4341.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/
30/88).

Abatement Worker Refresher Course
(contingent from 12/6/89).

(29)(a) *Training Provider:* Lehr
Training Institute, Inc.

Address: 4125 East La Palma Ave. Suite
300, Anaheim, CA 92807, Contact:
Susan Patnode, Phone: (714) 572-0110.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
16/88).

Abatement Worker Refresher Course
(contingent from 2/21/89).

Contractor/Supervisor (contingent from
2/16/88).

Contractor/Supervisor Refresher Course
(contingent from 2/21/89).

Inspector/Management Planner
(contingent from 10/31/88).

Inspector/Management Planner
Refresher Course (contingent from 2/
21/89).

(30)(a) *Training Provider:* National
Abatement Technology Employment
Center (NATEC).

Address: 11552 Knott St., Suite 8,
Garden Grove, CA 92643, Contact:
Ronald Sandlin, Phone: (714) 894-7577.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
30/87).

Abatement Worker Refresher Course
(contingent from 11/8/88).

Contractor/Supervisor (contingent from
12/30/87).

Contractor/Supervisor Refresher Course
(contingent from 11/8/88).

(31)(a) *Training Provider:* National
Institute for Asbestos & Hazardous
Waste Training.

Address: 1019 West Manchester Blvd.,
Inglewood, CA 90301, Contact: Jim
McFarland, Phone: (213) 645-4516.

(b) *Approved Courses:*

Abatement Worker (full from 12/24/87).

Abatement Worker Refresher Course
(contingent from 10/19/88).

Contractor/Supervisor (full from 12/24/
87).

Contractor/Supervisor Refresher Course
(contingent from 10/19/88).

Inspector/Management Planner
(contingent from 6/30/88).

Inspector/Management Planner
Refresher Course (contingent from 11/
4/88).

(32)(a) *Training Provider:* Naval Civil
Engineering Laboratory.

Address: Port Hueneme, CA 93043-500,
Contact: Susan C. Tianen, Phone: (805)
982-4711.

(b) *Approved Courses:*

Abatement Worker (contingent from 10/
31/89).

Abatement Worker Refresher Course
(contingent from 10/18/89).

Contractor/Supervisor (contingent from
10/31/89).

Contractor/Supervisor Refresher Course
(contingent from 10/18/89).

Inspector (contingent from 4/6/89).

(33)(a) *Training Provider:*

Occupational Training Institute, Inc.

Address: 5 Civic Center, Suite 225,
Newport Beach, CA 92660, Contact:
David K. Hardman, Phone: (714) 721-
9578.

(b) *Approved Courses:*

Abatement Worker (contingent from 2/
21/89).

Abatement Worker Refresher Course
(contingent from 2/21/89).

Contractor/Supervisor (contingent from
2/21/89).

Contractor/Supervisor Refresher Course
(contingent from 2/21/89).

Inspector/Management Planner
(contingent from 3/16/89).

Inspector/Management Planner
Refresher Course (contingent from 2/
21/89).

(34)(a) *Training Provider:* Pacific
Asbestos Information Center U.C.
Extension.

Address: 2223 Fulton St., Berkeley, CA
94720, Contact: Debra Dobbin, Phone:
(415) 643-7143.

(b) *Approved Courses:*

Contractor/Supervisor (full from 10/1/
87).

Contractor/Supervisor Refresher Course
(contingent from 10/19/88).

Inspector/Management Planner (full
from 11/16/87).

Inspector/Management Planner
Refresher Course (contingent from 10/
19/88).

Project Designer (contingent from 10/31/
89).

(35)(a) *Training Provider:* Painters
District Council No. 36.

Address: 2077 Yates Ave., City of
Commerce, CA 90040, Contact:
William Sauerwald, Phone: (213) 385-
1366.

(b) *Approved Course:*

Abatement Worker (contingent from 10/
15/89).

(36)(a) *Training Provider:* Robert
Harvey Griesse.

Address: 23214 Via Ladera, Valencia,
CA 91355, Contact: Robert H. Griesse,
Phone: (805) 259-1478.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/
6/89).

Contractor/Supervisor (contingent from
12/6/89).

Inspector/Management Planner
(contingent from 12/6/89).

(37)(a) *Training Provider:* Salem
Kroeger, Inc.

Address: 106 Church St., Roseville, CA
95678, Contact: Owen C. Tilley, Phone:
(916) 784-7222.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
30/89).

Abatement Worker Refresher Course
(contingent from 4/3/89).

Contractor/Supervisor (contingent from
3/30/89).

Contractor/Supervisor Refresher Course
(contingent from 4/3/89).

Inspector Refresher Course (contingent
from 4/3/89).

(38)(a) *Training Provider:* San Diego
County Construction Laborers Training
& Retraining Trust.

Address: 4161 Home Ave., Second Fl.,
San Diego, CA 92105, Contact: Bob
White, Phone: (619) 283-8941.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/
21/89).

Abatement Worker Refresher Course
(contingent from 10/18/89).

(39)(a) *Training Provider:* San Diego County District Council of Carpenters.
Address: 4665 Mercury St., San Diego, CA 92111, Contact: Otis Kunz, Phone: (619) 571-8977.

(b) *Approved Courses:*

Abatement Worker (contingent from 3/30/89).
Contractor/Supervisor (contingent from 10/31/88).

(40)(a) *Training Provider:* Spectrum Environmental Training.

Address: 6425 Bristol Pkwy., Suite 305, Culver City, CA 90230, Contact: Judy Armstrong, Phone: (213) 322-2332.

(b) *Approved Courses:*

Abatement Worker (contingent from 12/6/89).
Contractor/Supervisor (contingent from 12/6/89).

(41)(a) *Training Provider:* The Asbestos Institute.

Address: 2701 East Camelback, Suite 381, Phoenix, AZ 85016, Contact: William T. Cavness, Phone: (602) 381-0896.

(b) *Approved Courses:*

Abatement Worker (contingent from 6/30/88).
Abatement Worker Refresher Course (contingent from 10/31/88).
Contractor/Supervisor (contingent from 8/13/88).
Contractor/Supervisor Refresher Course (contingent from 3/9/89).
Inspector/Management Planner (contingent from 6/17/88).
Inspector/Management Planner Refresher Course (contingent from 6/16/88).

(42)(a) *Training Provider:* University Associates, Ltd.

Address: 2425-A North Huachuca Dr., Tucson, AZ 85745, Contact: Carolyn Coker, Phone: (602) 624-9366.

(b) *Approved Course:*

Inspector/Management Planner (contingent from 12/1/88).

(43)(a) *Training Provider:* University of Southern California Institute of Safety & Systems Management.

Address: University Gardens, 3500 South Figueroa St., Suite 202, Los Angeles, CA 90007, Contact: James O. Pierce, Phone: (213) 743-6523.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 7/27/88).
Inspector/Management Planner (full from 2/2/89).
Inspector/Management Planner Refresher Course (contingent from 2/23/89).

REGION X -- Seattle, WA

Regional Asbestos Coordinator: Gil Haselberger, EPA, Region X, 1200 Sixth Ave. (8T-083), Seattle, WA 98101. (206) 442-4762, (FTS) 399-1094.

List of Approved Courses: The following training courses have been approved by EPA. The courses are listed under (b). This approval is subject to the level of certification indicated after the course name. Training Providers are listed in alphabetical order and do not reflect a prioritization. Approvals for Region X training courses and contact points for each, are as follows:

(1)(a) *Training Provider:* Arctic Slope Consulting Group.

Address: 3801 South Cushman, Fairbanks, AK 99701-7529, Contact: Robert A. Perkins, Phone: (907) 451-6009.

(b) *Approved Course:*

Inspector/Management Planner Refresher Course (contingent from 10/25/89).

(2)(a) *Training Provider:* Asbestos Removal Technologies.

Address: P.O. Box 4762, Vancouver, WA 98662, Contact: Skip Gaultier, Phone: (800) 321-4121.

(b) *Approved Courses:*

Inspector/Management Planner Refresher Course (contingent from 10/25/89).
Inspector/Management Planner Refresher Course (full from 12/26/89).
Project Designer Refresher Course (contingent from 10/25/89).
Project Designer Refresher Course (full from 12/26/89).

(3)(a) *Training Provider:* Asbestos Services International.

Address: 12360 Southwest Butner Rd., Portland, OR 97225-5815, Contact: Robert E. Hastings, Phone: (503) 644-0246.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 8/23/88).
Inspector/Management Planner (full from 7/17/89).
Inspector/Management Planner Refresher Course (contingent from 10/31/88).
Inspector/Management Planner Refresher Course (full from 1/20/89).
Project Designer (contingent from 10/31/88).
Project Designer (full from 1/17/89).

(4)(a) *Training Provider:* Certified Industrial Hygiene Services, Inc.

Address: 911 Western Ave., Suite 206, Seattle, WA 98104, Contact: Dorothy Stansel, Phone: (206) 622-1098.

(b) *Approved Course:*

Inspector (contingent from 3/25/88).

(5)(a) *Training Provider:* Engineering Continuing Education University of Washington.

Address: GG-13, Seattle, WA 98195, Contact: Susan G. Stone, Phone: (206) 543-5539.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 1/26/88).
Inspector/Management Planner (full from 2/8/88).

(6)(a) *Training Provider:* Environmental Health Sciences Lake Washington Vo-Tech.

Address: 11605 132nd Ave., NE., Kirkland, WA 98034, Contact: Dave Rodewald, Phone: (206) 828-5643.

(b) *Approved Courses:*

Inspector/Management Planner (full from 4/11/88).
Inspector/Management Planner Refresher Course (contingent from 1/14/89).
Inspector/Management Planner Refresher Course (full from 1/27/89).
Project Designer (contingent from 12/11/89).

(7)(a) *Training Provider:*

Environmental Management, Inc.

Address: P.O. Box 91477, Anchorage, AK 99509, Contact: Kenneth Johnson, Phone: (907) 272-8056.

(b) *Approved Course:*

Inspector/Management Planner (full from 4/18/88).

(8)(a) *Training Provider:* Hazcon, Inc.

Address: 5950 6th Ave., S., Suite 216, Seattle, WA 98108, Contact: Mike Krause, Phone: (206) 763-7364.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 3/1/88).
Inspector/Management Planner (full from 4/4/88).
Inspector/Management Planner Refresher Course (contingent from 1/18/89).
Inspector/Management Planner Refresher Course (full from 1/30/89).

(9)(a) *Training Provider:* Heavey Engineers, Inc.

Address: 113 Russell St., P.O. Box 832, Stevenson, WA 98648-0832, Contact: Daniel Evans, Phone: (509) 427-8936.

(b) *Approved Courses:*

Inspector/Management Planner (contingent from 4/13/88).
Inspector/Management Planner (full from 5/2/88).
Inspector/Management Planner Refresher Course (contingent from 1/18/89).

Inspector/Management Planner
Refresher Course (full from 3/10/89).

(10)(a) *Training Provider*: NAC
Corporation/Northwest Asbestos
Consultants.

Address: 1005 Northwest Galveston,
Suite E, Bend, OR 97701, Contact: Dale
Schmidt, Phone: (503) 389-9727.

(b) *Approved Courses*:

Inspector/Management Planner
Refresher Course (contingent from 4/
25/89).

Inspector/Management Planner
Refresher Course (full from 7/24/89).

(11)(a) *Training Provider*: Northwest
Envirocon, Inc.

Address: 4020 Southeast International
Way, Suite C-106, Milwaukie, OR
97222, Contact: Shiela Wanta, Phone:
(503) 659-8899.

(b) *Approved Courses*:

Inspector/Management Planner
(contingent from 4/13/88).

Inspector/Management Planner (full
from 5/2/88).

(12)(a) *Training Provider*: PBS
Environmental Building Consultants,
Inc.

Address: 1220 SouthWest Morrison,
Portland, OR 97205, Contact: Stephen
Smiley, Phone: (503) 248-1939.

(b) *Approved Courses*:

Inspector/Management Planner
(contingent from 2/4/88).

Inspector/Management Planner (full
from 3/14/88).

Inspector/Management Planner
Refresher Course (contingent from 3/
14/89).

Inspector/Management Planner
Refresher Course (full from 6/30/89).

Project Designer (contingent from 6/9/
89).

Project Designer (full from 6/19/89).

Project Designer Refresher Course
(contingent from 10/25/89).

(13)(a) *Training Provider*: South East
Regional Resource Center, Inc.

Address: 210 Ferry Way, Suite 200,
Juneau, AK 99801, Contact: William
Suss, Phone: (907) 586-6806.

(b) *Approved Course*:

Inspector/Management Planner
Refresher Course (contingent from 4/
18/89).

(14)(a) *Training Provider*: Specialized
Environmental Consulting, Inc.

Address: P.O. Box 363, Wauna, WA
98395, Contact: Raymond Donahue,
Phone: (206) 857-3222.

(b) *Approved Courses*:

Inspector/Management Planner
Refresher Course (contingent from 3/
7/89).

Inspector/Management Planner
Refresher Course (full from 3/20/89).

(15)(a) *Training Provider*: University
of Alaska, Mining & Petroleum Training
Services.

Address: 155 Smith Way, Suite 104,
Soldotna, AK 99669, Contact: Dennis
D. Steffy, Phone: (907) 262-2788.

(b) *Approved Courses*:

Inspector/Management Planner
(contingent from 2/16/88).

Inspector/Management Planner (full
from 4/11/88).

Inspector/Management Planner
Refresher Course (contingent from 1/
14/89).

(16)(a) *Training Provider*: Valley
Research Corporation.

Address: 1299 E. 2400 St., Hagerman, ID
83332, Contact: Leon Urie, Phone: (208)
837-6437.

(b) *Approved Course*:

Contractor/Supervisor (contingent from
10/20/89).

(17)(a) *Training Provider*: Washington
Association of Maintenance &
Operations Administrators, WAMOA.

Address: 12037 Northeast Fifth,
Bellevue, WA 98005, Contact: Colin
MacRae, Phone: (206) 455-6054.

(b) *Approved Courses*:

Inspector/Management Planner
Refresher Course (contingent from 4/
25/89).

Inspector/Management Planner
Refresher Course (full from 7/24/89).

V. List of EPA - Accredited Polarized Light Microscopy (PLM) Laboratories

A. Background

Section 206(d) of Title II requires EPA
to provide for the development of an
accreditation program through the
National Institute of Standards and
Technology (NIST), formerly the
National Bureau of Standards (NBS), for
laboratories conducting analyses of bulk
samples of asbestos-containing
materials. NIST began initial
evaluations of enrolled laboratories in
October 1988 and has accredited
approximately 600 PLM laboratories to
date. NIST will continue to accredit
laboratories on a regular basis.

EPA, to initially provide LEAs with a
source of accredited laboratories until
NIST completed its laboratory
evaluations, established the "Interim
Asbestos Bulk Sample Analysis Quality
Assurance Program." EPA announced
the program in the Federal Register of
September 30, 1987 (52 FR 33470). In the
program, laboratories successfully
meeting EPA requirements were
provided EPA Interim Accreditation.
However, as of October 30, 1989, all EPA
Interim Accreditations were removed.
EPA published a notice in the Federal

Register of September 18, 1989 (54 FR
38436), describing the removal process.
Specifically, the notice stated all EPA
accredited laboratories must receive
NIST accreditation by October 30, 1989.

The following listing includes
commercial and noncommercial
laboratories currently accredited in the
NIST National Voluntary Laboratory
Accreditation Program (NVLAP). NIST
continues to evaluate the accredited
laboratories with ongoing proficiency
testing rounds. It is possible some
accredited laboratories could lose their
accredited status based on their
performance in NIST proficiency testing
rounds. If this happens, NIST will assign
the term "suspended" to the accredited
status of the laboratory. EPA does not
consider a suspended accreditation to
meet the regulatory requirements for the
utilization of an accredited laboratory.
Hence, LEAs must not use suspended
laboratories. Prior to selecting a
laboratory, LEAs should contact NIST at
(301) 975-4016 to verify the accredited
status of the laboratory. Additional
copies of this listing may be obtained by
calling (202) 554-1404.

EPA Accredited Commercial PLM Laboratories

REGION I -- Boston, MA

Regional Asbestos Coordinator: Joe
DeCola, EPA, Region I, Air and
Management Division (APT-2311), JFK
Federal Building, Boston, MA 02203.
(617) 565-3835, (FTS) 835-3835.

(1) *Laboratory*: Aetna Life & Casualty
(NIST), Engineering Department W101.

Address: 575 Pigeon Hill Rd., Windsor,
CT 06095, Contact: Ethel Patricio,
Phone: (203) 683-3647.

(2) *Laboratory*: Air Quality
Consultants (NIST).

Address: 406 Libbey Pkwy., Weymouth,
MA 02189, Contact: John E. O'Malley,
Phone: (617) 337-7320.

(3) *Laboratory*: Allied Engineering,
Inc. (NIST).

Address: 11 Columbia St., Augusta, ME
04330, Contact: Gary Bates, Phone:
(207) 623-9299.

(4) *Laboratory*: Analytical Testing
Services (NIST).

Address: 180 Weeden St., Pawtucket, RI
02860-1804, Contact: Robert F.
Weisberg, Phone: (401) 723-7978.

(5) *Laboratory*: Applied Occupational
Health Systems (NIST).

Address: 29 River Rd., Suite 18, Concord,
NH 03301, Contact: Richard R.
Kretovich, Phone: (603) 228-3610.

(6) *Laboratory*: Balsam Environmental
Consultants, Inc. (NIST).

Address: 71 Hospital St., Augusta, ME 04330, Contact: Frank Hill, Phone: (207) 623-9188.

(7) *Laboratory*: Balsam Environmental Consultants, Inc. (NIST).

Address: 59 Stiles Rd., Salem, NH 03079, Contact: Linda Goodreau, Phone: (603) 893-0616.

(8) *Laboratory*: Barnes and Jarnis, Inc.

Address: 216 Tremont St., Boston, MA 02116, Contact: Albert Szezur, Phone: (617) 542-6521.

(9) *Laboratory*: Briggs Associates, Inc. (NIST).

Address: 400 Hingham St., Rockland, MA 02370, Contact: James Litrides, Phone: (617) 871-6040.

(10) *Laboratory*: Brooks Laboratories, Inc. (NIST).

Address: 44 Codfish Ln., Weston, CT 06883, Contact: Margaret Y. Brooks, Phone: (203) 226-6970.

(11) *Laboratory*: CON-TEST, Inc. (NIST).

Address: 39 Spruce St., East Longmeadow, MA 01028, Contact: Thomas E. Veratti, Phone: (413) 525-1198.

(12) *Laboratory*: CT State Dept. of Health Lab (NIST).

Address: 10 Clinton St., P.O. Box 1689, Hartford, CT 06106, Contact: Janet B. Kapish, Phone: (203) 566-5626.

(13) *Laboratory*: Certified Engineering & Testing Co., Inc. (NIST).

Address: 25 Mathewson Dr., Weymouth, MA 02189, Contact: Kevin Kelley, Phone: (617) 337-7887.

(14) *Laboratory*: Certified Engineering & Testing Co., Inc. of Rhode Island (NIST).

Address: 400 Smith St., Providence, RI 02908, Contact: Maria Stoeckel, Phone: (401) 831-9090.

(15) *Laboratory*: Chem Scope, Inc. (NIST).

Address: P.O. Box 389, Fair Haven Station, New Haven, CT 06513, Contact: Ronald D. Arena, Phone: (203) 468-0055.

(16) *Laboratory*: Covino Environmental Consultants, Inc. (NIST).

Address: 12 Walnut Hill Pk., Woburn, MA 01801, Contact: Samuel J. Covino, Jr., Phone: (617) 933-2555.

(17) *Laboratory*: Dennison Environmental, Inc. (NIST).

Address: 17 G Everberg Rd., Woburn, MA 01801, Contact: James E. Dennison, Phone: (617) 932-8555.

(18) *Laboratory*: EHL (NIST), Division of Cigna Corp.

Address: 94 Murphy Rd., Hartford, CT 06114, Contact: Jim Kenny, Phone: (203) 522-3814.

(19) *Laboratory*: ESA Laboratories (NIST).

Address: 43 Wiggins Ave., Bedford, MA 01730, Contact: Reg Griffin, Phone: (617) 275-0100.

(20) *Laboratory*: Eastern Analytical Laboratories, Inc. (NIST).

Address: 149 Rangeway Rd., North Billerica, MA 01862, Contact: Robert MacDonald, Phone: (617) 272-5212.

(21) *Laboratory*: Enviro Research (NIST).

Address: 141 Prestige Park Rd., East Hartford, CT 06108, Contact: Arthur C. Cosmas, Phone: (203) 289-6493.

(22) *Laboratory*: Enviro-Lab, Inc. (NIST).

Address: 154 Grove St., Chicopee, MA 01020, Contact: Peter R. Tuttle, Phone: (413) 592-0030.

(23) *Laboratory*: Enviromed Services, Inc. (NIST).

Address: 25 Science Pk., New Haven, CT 06511, Contact: Joseph Pasquariello, Phone: (203) 786-5580.

(24) *Laboratory*: Environmental Associates, Inc. (NIST).

Address: 1222 Fairfield Ave., Bridgeport, CT 06605, Contact: Ralph Wiech, Phone: (203) 368-6064.

(25) *Laboratory*: Hunter Environmental Sciences, Inc. (NIST).

Address: 10 Lewis St., P.O. Box 289, Lincoln, MA 01773, Contact: W. Bruce Hunter, Phone: (617) 259-0800.

(26) *Laboratory*: Hygeia, Inc. (NIST).

Address: 303 Bear Hill Rd., Waltham, MA 02154, Contact: John R. Pilling, Phone: (617) 890-4999.

(27) *Laboratory*: Hygenix, Inc. (NIST).

Address: 40 Hoyt St., Stanford, CT 06905, Contact: Arthur Morris, Phone: (203) 324-2222.

(28) *Laboratory*: Hygienetics Analytical Services, Inc. (NIST).

Address: 150 Causeway St., Boston, MA 02114, Contact: Jack Yee, Sr., Phone: (617) 723-4664.

(29) *Laboratory*: Industrial Hygiene/ New England (NIST).

Address: P.O. Box 1158, Kennebunk, ME 04043, Contact: Lori Burns, Phone: (207) 985-8110.

(30) *Laboratory*: Industrial Hygiene/ New England, Inc. (NIST).

Address: 157 Park St., Bangor, ME 04401, Contact: Peter Noddin, Phone: (207) 947-6645.

(31) *Laboratory*: Kaselaan & D'Angelo Associates, Inc. (NIST).

Address: 500 Victory Rd., Suite 270, Marina Bay, MA 02171, Contact: Marianne Rogers, Phone: (617) 472-1330.

(32) *Laboratory*: MMR, Inc. (NIST).

Address: P.O. Box 810, 241 West Boylston St., West Boylston, MA 01583, Contact: David Krashes, Phone: (617) 835-6262.

(33) *Laboratory*: Massachusetts Commonwealth (NIST), Div. of Occupational Hygiene.

Address: 1001 Watertown St., West Newton, MA 02165, Contact: Patricia Circone, Phone: (617) 528-0635.

(34) *Laboratory*: Mystic Air Quality Consultants (NIST).

Address: 1085 Buddington Rd., Groton, CT 06340, Contact: Christopher Eident, Phone: (203) 449-8903.

(35) *Laboratory*: New Hampshire Div. of Public Health (NIST), Public Health Laboratory.

Address: 6 Hazen Dr., Concord, NH 03301, Contact: Veronica Malmberg, Phone: (603) 271-4657.

(36) *Laboratory*: Northeast Test Consultants (NIST).

Address: 587 Spring St., Westbrook, ME 04092, Contact: Stephen Broadhead, Phone: (207) 854-3939.

(37) *Laboratory*: Norwich Laboratories, Inc. (NIST).

Address: 750 North Pleasant St., Amherst, MA 01002, Contact: Nina Inchari, Phone: (413) 549-6884.

(38) *Laboratory*: R.I. Analytical Laboratories Inc. (NIST).

Address: 1040 Mineral Spring Ave., North Providence, RI 02904, Contact: Scott Patefield, Phone: (401) 725-4190.

(39) *Laboratory*: Shelburne Laboratories, Inc. (NIST).

Address: 74 Ethan Allen Dr., P.O. Box 9479, South Burlington, VT 05403, Contact: Robert J. Emerson, Phone: (802) 658-5798.

(40) *Laboratory*: TRC Environmental Consultants, Inc. (NIST).

Address: 800 Connecticut Blvd., East Hartford, CT 06108, Contact: Paul Hunt, Phone: (203) 289-8631.

(41) *Laboratory*: Testwell Craig Labs of Connecticut, Inc. (NIST).

Address: 25 Henry St., Bethel, CT 06801, Contact: Richard Speciale, Phone: (203) 743-7281.

(42) *Laboratory*: The Hartford Steam Boiler I & I Co. (NIST), Environmental Services Laboratory.

Address: One State St., Hartford, CT 06102, Contact: Joanne Kuvalanka, Phone: (203) 722-5476.

(43) *Laboratory*: The Travelers Insurance Companies (NIST).

Address: 248 Constitution Plaza,
Hartford, CT 01683, Contact: Anita
Saughvi, Phone: (203) 277-3413.

REGION II -- Edison, NJ

Regional Asbestos Coordinator:
Albert Kramer, EPA, Region II, 2890
Woodbridge Ave., Raritan Depot, Bldg.
5, (MS-500), Edison, NJ 08837, (201) 321-
6793, (FTS) 340-6793.

(1) *Laboratory:* ASTECH, Inc. (NIST).
Address: 317 West Milton Ave.,
Rahway, NJ 07065, Contact: Michael
Matarazzo, Phone: (201) 396-4455.

(2) *Laboratory:* ASTECO, Inc. (NIST).
Address: 140 Telegraph Rd., P.O. Box
179, Middleport, NY 14105, Contact:
Thomas Spengler, Phone: (716) 297-
5992.

(3) *Laboratory:* ATC Environmental,
Inc. (NIST).

Address: 104 East 25th St., New York,
NY 10010, Contact: Edwin Levin,
Phone: (212) 353-8280.

(4) *Laboratory:* Adelaide
Environmental Health Associates
(NIST).

Address: 61 Front St, Binghamton, NY
13905, Contact: Gaig Benson, Phone:
(607) 722-6839.

(5) *Laboratory:* Adelaide
Environmental Health Associates
(NIST).

Address: 845 North Broadway, Suite 200,
White Plains, NY 10601, Contact: Ron
Bielinski, Phone: (914) 949-3109.

(6) *Laboratory:* Adirondack
Environmental Services (NIST).

Address: 314 N. Pearl St., Albany, NY
12207, Contact: Thomas Hare, Phone:
(518) 785-0128.

(7) *Laboratory:* Alternative Ways,
Inc./AEM, Inc. (NIST).

Address: P.O. Box 1147, 100 Essex Rd.,
Bellmawr, NJ 08031, Contact: John
Luxford, Phone: (609) 933-1663.

(8) *Laboratory:* Ambient Labs, Inc.
(NIST).

Address: 119 West 23rd St., New York,
NY 10011, Contact: William A.
Esposito, Phone: (212) 962-4242.

(9) *Laboratory:* American Testing
Labs, Inc. (NIST).

Address: P.O. Box 102, Bronx, NY 10471,
Contact: George Kan, Phone: (212) 796-
4761.

(10) *Laboratory:* Applied
Environmental Technology, Inc. (NIST).

Address: 316 Cooper Center,
Pennsauken, NJ 08109, Contact:
Willard Kingsley, Phone: (609) 488-
9200.

(11) *Laboratory:* Applied Geo
Services, Inc. (NIST).

Address: 41 Union Square W., Suite
1125, New York, NY 10003, Contact:
Jeffrey A. Forgang, Phone: (212) 633-
1113.

(12) *Laboratory:* Asbestos
Consultancy Service (NIST), Holiday
Bldg.

Address: 121 State Highway 36, West
Tong Branch, NJ 07764, Contact:
George Forrest, Phone: (201) 571-1400.

(13) *Laboratory:* Assessment
Technologies, Inc. (NIST).
Address: 323 W. 39th St., New York, NY
10018, Contact: Jay Sall, Phone: (212)
564-8222.

(14) *Laboratory:* Atlantic
Environmental, Inc. (NIST).
Address: 2 East Blackwell St., Suite 24,
Dover, NJ 07801, Contact: David
Pearson, Phone: (201) 366-4660.

(15) *Laboratory:* Atlantic
Environmental, Inc. (NIST).
Address: 239 Perrine Ave., Elberon, NJ
07801, Contact: James McVeigh,
Phone: (201) 222-1157.

(16) *Laboratory:* Barnes & Jarnis, Inc.
(NIST).

Address: 373 Park Ave. S., 11th Fl., New
York, NY 10016-8865, Contact: Jay
Holmes, Phone: (212) 532-6433.

(17) *Laboratory:* Brad Associates
(NIST).

Address: 382 Rosevale Ave., Lake
Ronkonkoma, NY 11779, Contact:
Benito P. San Pedro, Phone: (516) 467-
4539.

(18) *Laboratory:* Briggs Associates,
Inc. (NIST).

Address: 361 Hanover St., Portsmouth,
NJ 03801, Contact: Janice Smith,
Phone: (603) 431-2870.

(19) *Laboratory:* Buck Engineering &
Environmental Laboratory (NIST).

Address: 100 Tompkins St., Courtland,
NY 13045, Contact: John H. Buck,
Phone: (607) 753-3403.

(20) *Laboratory:* Buffalo Testing Labs.,
Inc. (NIST).

Address: 902 Kenmore Ave., Buffalo, NY
14216, Contact: Edward J. Kris, Phone:
(716) 873-2302.

(21) *Laboratory:* Bulava
Environmental, Inc. (NIST).

Address: 12 Kilmer Dr., Belle Mead, NJ
08502, Contact: Edward J. Bulava,
Phone: (201) 874-6207.

(22) *Laboratory:* Calibrations (NIST).
Address: 802 Watervliet Shaker Rd.,
Latham, NY 12210, Contact: Sascha
Percent, Phone: (518) 786-1865.

(23) *Laboratory:* Certified Engineering
& Testing Co. of Upstate New York, Inc.
(NIST).

Address: 288 Genesee St., Utica, NY
13502, Contact: Mark S. Evans, Phone:
(315) 732-3826.

(24) *Laboratory:* Chenango
Environmental Laboratory, Inc. (NIST).
Address: 350 State St., Binghamton, NY
13901, Contact: Tim Sayers, Phone:
(607) 723-8175.

(25) *Laboratory:* Clayton
Environmental Consultants, Inc. (NIST).
Address: 160 Fieldcrest Ave., Raritan
Center, Edison, NJ 08837, Contact: Lee
Schumann, Phone: (201) 225-6040.

(26) *Laboratory:* Comprehensive
Analytical Group (NIST).
Address: 147 Midler Park Dr., P.O. Box
254, Syracuse, NY 13206, Contact:
Jeffrey Berry, Phone: (315) 432-0855.

(27) *Laboratory:* Dames & Moore
(NIST).
Address: 12 Commerce Dr., Cranford, NJ
07016-1101, Contact: Margaret Lynch,
Phone: (201) 272-8300.

(28) *Laboratory:* Detail Associates,
Inc. (NIST).

Address: 310 Grand St., Engelwood, NJ
07631, Contact: Stephen A.
Jaracewski, Phone: (201) 569-6708.

(29) *Laboratory:* ENTEK
Environmental & Technical Svcs. (NIST).
Address: 185 Jordan Rd., Rennselaer
Technology Park, Troy, NY 12180,
Contact: Jane Whitehouse, Phone:
(518) 283-9200.

(30) *Laboratory:* Eastern Analytical
Services, Inc. (NIST).

Address: 4 Westchester Plaza, Elmsford,
NY 10523-1601, Contact: Paul
Stascavage, Phone: (914) 592-8380.

(31) *Laboratory:* Ecology &
Environment, Inc. (NIST).
Address: 4285 Genesee St., Buffalo, NY
14225, Contact: Andrew Clifton,
Phone: (716) 631-0360.

(32) *Laboratory:* Electron-Microscopy
Service Laboratories, Inc. (NIST).

Address: 108 Haddon Ave., Westmont,
NJ 08108, Contact: Peter Frasca,
Phone: (609) 858-4800.

(33) *Laboratory:* Enviro-Probe, Inc.
(NIST).

Address: 17 Heritage Dr., Edison, NJ
08820, Contact: Ved Kukreja, Phone:
(201) 769-0274.

(34) *Laboratory:* Enviro-Probe, Inc.
(NIST).

Address: 2917 Bruckner Blvd., Bronx, NY
10461, Contact: Ved Kukreja, Phone:
(212) 863-0045.

(35) *Laboratory:* Environmental
Compliance Labs (NIST).

Address: 214 Marcus Blvd., Hauppauge, NY 11788, Contact: Saul Ash, Phone: (516) 273-3150.

(36) *Laboratory:* Environmental Management Systems, Inc. (NIST).

Address: 14 Sarafian Rd., New Paltz, NY 12561, Contact: Martin S. Rutstein, Phone: (914) 255-1034.

(37) *Laboratory:* Environmental Monitoring & Consulting Associates (NIST).

Address: P.O. Box 872, Somerville, NJ 08876, Contact: Joel Russell, Phone: (201) 249-3005.

(38) *Laboratory:* Exxon Biomedical Sciences, Inc. (NIST), IH Analytical Laboratory.

Address: Mettlers Rd., CN2350, East Millstone, NJ 08875-2350, Contact: John E. Stillman, Phone: (201) 873-6033.

(39) *Laboratory:* Friends Laboratory, Inc. (NIST).

Address: 446 Broad St., Waverly, NY 14892-1445, Contact: Douglas Friend, Phone: (607) 565-2893.

(40) *Laboratory:* Galson Technical Services (NIST).

Address: 6601 Kirkville Rd., East Syracuse, NY 13057, Contact: Joseph Unangst, Phone: (315) 432-0506.

(41) *Laboratory:* Golmar Corp. (NIST).

Address: 29-09 Queens Plaza North, Long Island City, NY 11101, Contact: Salvatore Ferdico, Phone: (718) 786-6660.

(42) *Laboratory:* Hall-Kimbrell Environmental Services (NIST).

Address: 129-09 26th Ave., Flushing, NY 11354-1166, Contact: Robert Farley, Phone: (718) 445-9090.

(43) *Laboratory:* Hazardous Waste Engineering Consultants, Inc. (NIST).

Address: 47 Hudson St., Ossining, NY 10562, Contact: Marco Pedone, Phone: (914) 762-9000.

(44) *Laboratory:* Hillman Environmental Co. (NIST).

Address: 1089 Cedar Ave., Union, NJ 07083, Contact: Joseph P. Hillman, Phone: (201) 686-3335.

(45) *Laboratory:* Hoffman-La Roche, Inc. (NIST).

Address: 340 Kingsland St., Nutley, NJ 07110, Contact: Yacoub Doumato, Phone: (201) 235-3248.

(46) *Laboratory:* Hygeia, Inc. (NIST).

Address: 276 Fifth Ave., Suite 503, New York, NY 10001, Contact: Marianne Thorpe, Phone: (212) 545-7822.

(47) *Laboratory:* Independent Asbestos Labs, Inc. (NIST).

Address: 5900 Butternut Dr., East Syracuse, NY 13057, Contact: Fred Terracina, Phone: (315) 437-1122.

(48) *Laboratory:* Independent Testing & Consultation, Inc. (NIST).

Address: 386 Line Rd., P.O. Box 539, Holmdel, NJ 07733, Contact: Anthony Matthews, Phone: (201) 583-2538.

(49) *Laboratory:* Industrial Testing Laboratories (NIST).

Address: 50 Madison Ave., New York, NY 10010, Contact: Kenneth J. Kohlhof, Phone: (212) 685-8788.

(50) *Laboratory:* International Asbestos Testing Laboratories (IATL) (NIST).

Address: 36 North Pine Ave., Maple Shade, NJ 08052, Contact: Emil M. Ondra, Phone: (609) 779-7792.

(51) *Laboratory:* Kaselaan & D'Angelo Associates, Inc. (NIST).

Address: 515 Grove St., Haddon Heights, NJ 08035, Contact: Marianne Rogers, Phone: (609) 547-6500.

(52) *Laboratory:* Kemron Environmental Services (NIST).

Address: 755 New York Ave., Huntington, NY 11743, Contact: Patricia Kirkland, Phone: (516) 427-0950.

(53) *Laboratory:* Laboratory Testing Services, Inc. (NIST).

Address: 75 Urban Ave., Westbury, NY 11590, Contact: Brian Heneveld, Phone: (516) 334-7770.

(54) *Laboratory:* Lozier Laboratories (NIST).

Address: 909 Culver Rd., Rochester, NY 14609, Contact: Alan J. Laffin, Phone: (716) 654-8350.

(55) *Laboratory:* Moby II (NIST).

Address: 1615 9th Ave., Bohemia, NY 11716, Contact: Andrew Hiscock, Phone: (516) 467-8477.

(56) *Laboratory:* Monroe Monitoring & Analysis (NIST).

Address: 1425 Mt. Read Blvd., Rochester, NY 14606, Contact: Herbert Dohr, Phone: (716) 546-8580.

(57) *Laboratory:* NET Northeast, Inc. (NIST).

Address: 5854 Butternut Dr., East Syracuse, NY 13057, Contact: Conrad Teufel, Phone: (315) 446-8795.

(58) *Laboratory:* National Testing Laboratories, Inc. (NIST).

Address: 27-14 39th Ave., Long Island City, NY 11101, Contact: Allen Ross, Phone: (718) 784-2626.

(59) *Laboratory:* New Jersey State Dept. of Health Div. of Public Health & Env. Labs.

Address: CN 360, Trenton, NJ 08625, Contact: Charles Guyton, Phone: (609) 984-6056.

(60) *Laboratory:* New York City, Dept. of Sanitation (NIST), Environmental Police Laboratory.

Address: 2253 Broadway, Suite 800, New York, NY 10007, Contact: Daniel Millstone, Phone: (212) 240-4800.

(61) *Laboratory:* Northeastern Analytical Corp. (NIST).

Address: Evesham Corporation Center, 4 East Stow Rd., Unit 10, Marlton, NJ 08053, Contact: William Dolan, Phone: (609) 651-1441.

(62) *Laboratory:* OBG Laboratories, Inc. (NIST).

Address: Box 4942, 5000 Brittonfield Pkwy., Suite 300, Syracuse, NY 13221, Contact: Michael Gerber, Phone: (315) 437-0200.

(63) *Laboratory:* Omega Laboratories, Inc. (NIST).

Address: 127 Main St., Hackensack, NJ 07601, Contact: John C. Walton, Phone: (201) 393-5647.

(64) *Laboratory:* PMK, Ferris, & Perricone, Inc. (NIST).

Address: 516 Bloy St., Hillside, NJ 07205, Contact: James Ferris, Phone: (201) 686-0044.

(65) *Laboratory:* Paradigm Environmental Svcs., Inc. (NIST).

Address: 961 Lyell Ave., Bldg. 2, Suite 8, Rochester, NY 14606, Contact: Jacqueline Sipples, Phone: (716) 647-2530.

(66) *Laboratory:* Pedneault Associates, Inc. (NIST).

Address: 1615 9th Ave., Bohemia, NY 11716, Contact: John Pedneault, Phone: (516) 467-8477.

(67) *Laboratory:* Perritt Laboratories, Inc. (NIST).

Address: 145 South Main St., P.O. Box 147, Hightstown, NJ 08520, Contact: Richard Ward, Phone: (609) 443-4848.

(68) *Laboratory:* Phoenix Safety Associates Ltd. (NIST).

Address: 35 W. 31st St., New York, NY 10001, Contact: Nina Anarando, Phone: (212) 268-0600.

(69) *Laboratory:* Powell Environmental Services, Inc. (NIST).

Address: Suite 9A, Camp Meeting Grounds, Delanco, NJ 08075, Contact: Michael D. Moschella, Phone: (609) 764-8886.

(70) *Laboratory:* Princeton Testing Laboratory (NIST).

Address: P.O. Box 3108, Princeton, NJ 08540, Contact: David Kichula, Phone: (609) 452-9050.

(71) *Laboratory:* Professional Service Ind., Inc. (NIST).

Address: 423A New Karner Rd., Albany, NY 12205, Contact: Samuel Battaglia, Phone: (518) 452-0777.

(72) *Laboratory*: Public Service Testing Laboratories, Inc. (NIST).
Address: 37-31 57th St., Woodside, NY 11377, Contact: Stephen DiMartino, Phone: (718) 476-9202.

(73) *Laboratory*: R-C-G BOCES Risk Management Services Lab (NIST).
Address: Brookview Rd., P.O. Box 26, Brookview, NY 12026, Contact: Rajender Abraham, Phone: (518) 732-7266.

(74) *Laboratory*: R.J. Lee Group, Inc. (NIST).

Address: 1741 Baseline Rd., Grand Island, NY 14072, Contact: Kuldrup Chopra, Phone: (716) 773-7625.

(75) *Laboratory*: Roy F. Weston, Inc. (NIST).

Address: One Old Country Rd., Suite 430, Carle Place, Long Island, NY 11514, Contact: Susan Viet, Phone: (516) 742-8831.

(76) *Laboratory*: Suffolk County Public & Env. Health Lab. (NIST).

Address: Veterans Memorial Hwy., Building 77, Hauppauge, NY 11788, Contact: Ronald Huttie, Phone: (516) 360-5528.

(77) *Laboratory*: TAKA Asbestos Analytical Services, Inc. (NIST) Environmental Testing.

Address: 8 Pine Hill Court, Northport, NY 11768, Contact: Thomas Kubic, Phone: (516) 261-2117.

(78) *Laboratory*: Testwell Craig Lab, Inc. (NIST).

Address: 47 Hudson St., Ossining, NY 10562, Contact: Marco J. Pedone, Phone: (914) 736-1776.

(79) *Laboratory*: Testwell Craig Laboratories of Albany, Inc. (NIST).

Address: 518 Clinton Ave., Albany, NY 12206, Contact: Stanley P. Purzycki, Phone: (518) 436-4114.

(80) *Laboratory*: Testwell Craig Laboratories, Inc. (NIST).

Address: 50 Passaic Ave., Fairfield, NJ 07006, Contact: Tony Poraello, Phone: (201) 882-8377.

(81) *Laboratory*: Testwell Craig Peters, Inc. (NIST).

Address: 127 Seeley Rd., Syracuse, NY 13224, Contact: Walter Peters, Phone: (315) 446-0008.

(82) *Laboratory*: Testwell Craig Testing Laboratories (NIST).

Address: 565 East Jarding Hwy., P.O. Box 477, Mays Landing, NJ 08330, Contact: James Kelly, Phone: (609) 625-1700.

(83) *Laboratory*: The Analytical Lab (NIST), Safety and Brookhaven National Lab.

Address: Bldg. 535A, Upton, NY 11973, Contact: Jana Kiram Naidu, Phone: (516) 282-4263.

(84) *Laboratory*: U.S. Testing Company, Inc., Environmental Sciences Division (NIST).

Address: 1415 Park Ave., Hoboken, NJ 07030, Contact: Ellen McCabe Noyes, Phone: (201) 792-2400.

REGION III -- Philadelphia, PA

Regional Asbestos Coordinator:
Carole Dougherty, EPA, Region III (3AM-32), 801 Arch St., Philadelphia, PA 19107, (215) 597-3160, (FTS) 597-3160.

(1) *Laboratory*: AGX, Inc. (NIST).
Address: Freedom Professional Bldg., 1341 Old Freedom Rd., Suite 3B, Mars, PA 16046, Contact: Kimberly Allison, Phone: (412) 776-1905.

(2) *Laboratory*: AMA Analytical Services (NIST).

Address: 4475 Forbes Blvd., Lanham, MD 20706, Contact: Len Burrelli, Phone: (800) 459-2640.

(3) *Laboratory*: ASBESTECH Division of AH and M Carolina, Inc. (NIST).

Address: P.O. Box 98, Dunbar, WV 25064, Contact: Orvie Nicholson, Phone: (304) 766-6224.

(4) *Laboratory*: ATEC Associates of Virginia, Inc. (NIST).

Address: 2551 Eltham Ave., Suite Z, Norfolk, VA 23513, Contact: Richard A. Vogel, Jr., Phone: (804) 857-6765.

(5) *Laboratory*: ATEC Associates, Inc. (NIST), Industrial Hygiene Division.

Address: 8989 Herrmann Dr., Columbia, MD 21045-8780, Contact: Paul A. Esposito, Phone: (301) 381-0232.

(6) *Laboratory*: Academy of IRM, Inc. (NIST).

Address: 1600 Winchester Rd., Annapolis, MD 21401, Contact: Bobby Leonard, Phone: (301) 757-7887.

(7) *Laboratory*: Accredited Environmental Technologies, Inc. (NIST).

Address: 28 North Pennell Rd., Lima, PA 19037, Contact: Jack Carney, Phone: (215) 891-0114.

(8) *Laboratory*: Advanced Analytical Laboratories, Inc. (NIST).

Address: 30th & North Church St., Hazelton, PA 18201, Contact: Thomas Martinelli, Phone: (717) 455-5115.

(9) *Laboratory*: Air Quality Analysis Associates (NIST).

Address: 1337 Perry Ave., Morgantown, WV 26505, Contact: John T. Jankovic, Phone: (304) 599-0023.

(10) *Laboratory*: Allegheny Asbestos Analysis, Inc. (NIST).

Address: 300 Mt. Lebanon Blvd., Suite 2217, Pittsburgh, PA 15234, Contact: Tammy Nagel, Phone: (412) 563-3744.

(11) *Laboratory*: Allegheny Mountain Research (NIST), Occupational Health Division.

Address: RD 1, Box 243A, Berlin, PA 15530-9546, Contact: Victor Kawchak, Phone: (814) 267-4404.

(12) *Laboratory*: Altest Environmental Labs (NIST).

Address: 28 West Main St., Plymouth, PA 18651, Contact: Frank Egenski, Phone: (717) 779-5377.

(13) *Laboratory*: American Medical Laboratories, Inc. (NIST).

Address: 11091 Main St., Fairfax, VA 22030, Contact: Elsie Sharon, Phone: (703) 691-9100.

(14) *Laboratory*: American Medical Laboratories, Inc. (NIST).

Address: 2000 Brems Rd., Suite 204, Richmond Medical Park, Richmond, VA 23226, Contact: Alton Bartlett, Phone: (703) 691-9100.

(15) *Laboratory*: Analytics (NIST).

Address: P.O. Box 25249, Richmond, VA 23260, Contact: James Calpin, Phone: (804) 353-8973.

(16) *Laboratory*: Analytics Laboratory, Inc. (NIST), Subs. of Roche Biomedical Laboratories Inc.

Address: 205 South Whiting St., 6432-B General Green Way, Alexandria, VA 22312, Contact: Eugene Buie, Phone: (703) 658-0100.

(17) *Laboratory*: Analytics Laboratory, Inc. (NIST), Subs. of Roche Biomedical Laboratories, Inc.

Address: 4625 Pembroke Lake Cir., Virginia Beach, VA 23455, Contact: Christie Buie, Phone: (804) 857-0675.

(18) *Laboratory*: Apex Environmental, Inc. (NIST).

Address: 7652 Standish Pl., Rockville, MD 20855, Contact: Frank G. Fitzpatrick, Phone: (301) 217-9200.

(19) *Laboratory*: Applied Environmental Health & Safety Inc. (NIST).

Address: Reston International Center, 11800 Sunrise Valley Dr., Suite 1230, Reston, VA 22091, Contact: Jana Ambrose, Phone: (703) 648-0822.

(20) *Laboratory*: BCM Engineers, Inc. (NIST).

Address: 1850 Gravers Rd., Norristown, PA 19401, Contact: Linda Cox, Phone: (215) 275-0281.

(21) *Laboratory*: BCM Engineers, Inc. (NIST).

Address: 5777 Baum Blvd., Pittsburgh, PA 15206, Contact: Paul Jadowiec, Phone: (412) 361-6000.

(22) *Laboratory:* BCM Engineers, Inc. - Potomac (NIST).

Address: 600 W. Service Road, Suite 320, Washington, DC 20041, Contact: Nathan Williamson, Phone: (703) 260-0060.

(23) *Laboratory:* Batta Environmental Associates (NIST).

Address: Delaware Industrial Park, 6 Garfield, Way, Newark, DE 19713-3540, Contact: Steve Cahill, Phone: (302) 737-3376.

(24) *Laboratory:* Biospherics, Inc. (NIST).

Address: 12051 Indian Creek Ct., Beltsville, MD 20705, Contact: Lori Sletten, Phone: (301) 369-3900.

(25) *Laboratory:* Blue Ridge Analytical (NIST).

Address: 202 Bishop Rd., Blacksburg, VA 24060, Contact: David Violette, Phone: (703) 951-9283.

(26) *Laboratory:* Briggs Associates, Inc. (NIST).

Address: 8300 Guilford Rd., Suite E, Columbia, MD 21046, Contact: J. Ross Voorhees, Phone: (301) 381-4434.

(27) *Laboratory:* Brujos Scientific, Inc. (NIST).

Address: 505 Drury Ln., Baltimore, MD 21229, Contact: Robert Olcerst, Phone: (301) 566-0859.

(28) *Laboratory:* Camtech, Inc. (NIST).

Address: McKnight-Ivory Bldg., Suite 202, 4550 McKnight Rd., Pittsburgh, PA 15237, Contact: Carol McKee, Phone: (412) 931-1210.

(29) *Laboratory:* Cumberland Analytical Labs., Inc. (NIST).

Address: 56 North Second St., Chambersburg, PA 17201, Contact: D. R. Richner, Jr., Phone: (717) 263-5943.

(30) *Laboratory:* Delaware D.N.R.E.C. (NIST), Air Surveillance Branch Lab.

Address: 715 Grantham Ln., New Castle, DE 19720, Contact: Michael McDowell, Phone: (302) 323-4582.

(31) *Laboratory:* Dynamac International (NIST).

Address: 11140 Rockville Pike, Rockville, MD 20852, Contact: Robert Reisdorf, Phone: (301) 468-2500.

(32) *Laboratory:* Eagle Industrial Hygiene Association Incorporated (NIST).

Address: 405 Masons Mill Rd., Huntingdon, PA 19006, Contact: Keith Crawford, Phone: (215) 657-2261.

(33) *Laboratory:* Enviro Dynamics, Inc. (NIST).

Address: 520 N. Washington, Suite 300, Falls Church, VA 22046, Contact:

Margaret Klekner, Phone: (703) 237-4237.

(34) *Laboratory:* Enviromental Testing, Inc. (NIST).

Address: 100 South Cass St., Middletown, DE 19709, Contact: Gary Hayes, Phone: (302) 378-9881.

(35) *Laboratory:* Environmental Hazards Svcs., Inc. (NIST).

Address: 10 Industrial Hwy. Box No. 26, Philadelphia, PA 19113, Contact: Jack Carney, Phone: (215) 521-5467.

(36) *Laboratory:* Environmental Laboratories, Inc. (NIST).

Address: 9211 Burge Ave., Richmond, VA 23237, Contact: Terry Hall, Phone: (804) 271-3440.

(37) *Laboratory:* FREE-COL Laboratories (NIST).

Address: Cotton Rd., P.O. Box 557, Meadville, PA 16335-0557, Contact: J. Richard Wohler, Phone: (814) 724-6242.

(38) *Laboratory:* Galson Technical Services, Inc. (NIST).

Address: 5170 Campus Dr., Suite 200, Plymouth Meeting, PA 19462, Contact: Pamela Weaver, Phone: (215) 834-7288.

(39) *Laboratory:* Gannett Fleming Environmental Laboratory (NIST).

Address: 209 Senate Ave., Camp Hill, PA 17011, Contact: David W. Lane, Phone: (717) 763-7211.

(40) *Laboratory:* Geo-Environmental Services, Inc. (NIST).

Address: 19733 Executive Park Dr., Germantown, MD 20874, Contact: John T. Razzolini, Phone: (301) 353-0338.

(41) *Laboratory:* HBI-USA (NIST).

Address: 10378 Democracy Lane, Fairfax, VA 22030, Contact: Peter Binnie, Phone: (703) 352-0102.

(42) *Laboratory:* Havens Laboratories, Inc. (NIST).

Address: 1130 East Market St., Charlottesville, VA 22901, Contact: Stanley Havens, Phone: (804) 293-6000.

(43) *Laboratory:* I-TEM, Ltd. (NIST).

Address: North Lake Commerce Center, 12850 Middlebrook Rd., P.O. Box 1060, Germantown, MD 20874, Contact: Jorge Rangel, Phone: (301) 353-0585.

(44) *Laboratory:* Interscience Research, Inc. (NIST).

Address: 2614 Wyoming Ave., Norfolk, VA 23513, Contact: Joseph Guth, Phone: (804) 853-8813.

(45) *Laboratory:* JACA Corporation (NIST).

Address: 550 Pinetown Rd., Fort Washington, PA 19034, Contact: Robert Schlosser, Phone: (215) 643-5466.

(46) *Laboratory:* Lancaster Laboratories, Inc. (NIST).

Address: 2425 New Holland Ave., Lancaster, PA 17601, Contact: Barbara J. Weaver, Phone: (717) 656-2301.

(47) *Laboratory:* Law Engineering (NIST).

Address: 4465 Brookfield Corporate Dr., Chantilly, VA 22021, Contact: Philip Janney, Phone: (703) 968-4700.

(48) *Laboratory:* Lehigh Valley Analytics, Inc. (NIST).

Address: 60 West Broad St., Bethlehem, PA 18018, Contact: Barbara J. Davies, Phone: (215) 866-4434.

(49) *Laboratory:* MDS Laboratories (NIST).

Address: 4418 Pottsville Pike, Reading, PA 19605, Contact: Fred Usbeck, Phone: (215) 921-9191.

(50) *Laboratory:* Marine Chemist Service, Inc. (NIST).

Address: 11850 Tug Boat Ln., Newport News, VA 23606, Contact: Colleen Becker, Phone: (804) 873-0933.

(51) *Laboratory:* Medlab, Inc. (NIST).

Address: P.O. Box 2045, Wilmington, DE 19899, Contact: Sevag Sinanian, Phone: (302) 994-5764.

(52) *Laboratory:* Microbac Laboratories (NIST), Erie Testing Laboratory Division.

Address: 2411 West 26th St., Erie, PA 16506, Contact: Michael McElhinny, Phone: (814) 833-4790.

(53) *Laboratory:* Microbac Mid-Atlantic (NIST).

Address: 5808 Jefferson Avenue, Newport News, VA 23605, Contact: Anthony Creech, Phone: (804) 874-4930.

(54) *Laboratory:* Mountaineer Testing Laboratories, Inc. (NIST).

Address: 425 North Jefferson, P.O. Box 767, Lewisburg, WV 24901, Contact: Rob Dillon, Phone: (304) 645-7114.

(55) *Laboratory:* Occupational Medical Center Lab (NIST).

Address: 4451 Parliament Pl., Lanham, MD 20706, Contact: Christopher Beza, Phone: (301) 306-0632.

(56) *Laboratory:* Oneil M. Banks, Inc. (NIST).

Address: 336 South Main St., Bel Air, MD 21014, Contact: Michelle L. Evans, Phone: (301) 879-4676.

(57) *Laboratory:* Pacific Environmental Services, Inc. (NIST).

Address: 11440 Isaac Newton Sq., Suite 205, Reston, VA 22090, Contact: John Mazur, Phone: (703) 471-8383.

(58) *Laboratory:* Paleozoic Hydrocarbon Industries, Asbestos Lab Division of PHI (NIST).

- Address: 132 Oakwood Rd., Charleston, WV 25314, Contact: S. M. Spencer, Jr., Phone: (304) 342-6424.
(59) *Laboratory*: Pennrun Corporation (NIST).
- Address: 150 William Pitt Way, Pittsburgh, PA 15238, Contact: Valerie McDonald, Phone: (412) 826-5304.
(60) *Laboratory*: Pennsylvania Commonwealth.
- Address: 2221 Forster St., Rm. G28, Harrisburg, PA 17125, Contact: John Fisher, Phone: (717) 787-3862.
(61) *Laboratory*: Professional Service Ind., Inc. (NIST), Pittsburgh Testing Lab Division.
- Address: 850 Poplar St., Pittsburgh, PA 15220, Contact: Bruce Erdner, Phone: (412) 922-4000.
(62) *Laboratory*: R.J. Lee Group (NIST).
- Address: 350 Hochberg Rd., P.O. Box 278, Monroeville, PA 15146, Contact: Ian Stewart, Phone: (412) 325-1776.
(63) *Laboratory*: R.J. Lee Group (NIST).
- Address: 10366 Battlevue Pkwy., Manassas, VA 22110, Contact: Tom Dagenhart, Phone: (703) 368-7880.
(64) *Laboratory*: SSI Environmental Consultants (NIST).
- Address: Expressway Pk., Gulf Lab Rd. - Harmarville, Pittsburgh, PA 15238, Contact: George M. Beck, Phone: (412) 295-2399.
(65) *Laboratory*: Schneider Laboratories, Inc. (NIST).
- Address: 1427 West Main St., Richmond, VA 23220-4629, Contact: Richard F. Schneider, Phone: (804) 353-6778.
(66) *Laboratory*: Scientific & Environmental Analytical Svcs, Inc. (SEAS) (NIST).
- Address: 202 Bishop Rd., Blacksburg, VA 23220, Contact: David Violette, Phone: (703) 951-9283.
(67) *Laboratory*: Spotts, Stevens, & McCoy (NIST).
- Address: 345 North Wyomissing Blvd., Wyomissing, PA 19610, Contact: Steven Delp, Phone: (215) 376-6581.
(68) *Laboratory*: Structure Probe, Inc. (NIST).
- Address: 535 Eastr Gay St., P.O. Box 656, West Chester, PA 19381-0656, Contact: Kim Royer, Phone: (215) 436-5400.
(69) *Laboratory*: TC Analytics, Inc. (NIST).
- Address: 1200 Boissevoir Ave., Norfolk, VA 23507, Contact: Steven Long, Phone: (804) 627-0400.
(70) *Laboratory*: Tracor Technology Resources, Inc. (NIST).
- Address: 1601 Research Blvd., Rockville, MD 20850, Contact: Stephen Olin, Phone: (301) 984-2751.
(71) *Laboratory*: Versar, Inc. (NIST).
- Address: 6850 Versar Center, Springfield, VA 22151, Contact: Marcie Wilson, Phone: (703) 750-3000.
(72) *Laboratory*: Volz Environmental Services (NIST).
- Address: 3010 William Pitt Way, Pittsburgh, PA 15238, Contact: George J. Skarupa, Phone: (412) 826-3150.
(73) *Laboratory*: Washington Analytical Lab of VA, Inc. (Mobile Unit) (NIST).
- Address: 14214 Coda Place, Chantilly, VA 22021, Contact: Hugh Granger, Phone: (703) 631-6870.
(74) *Laboratory*: Washington Analytical Laboratory, Inc. (NIST).
- Address: 14214 Coda Place, Chantilly, VA 22021, Contact: R. Hugh Granger, Phone: (703) 631-6868.
(75) *Laboratory*: Wright Lab Services, Inc. (NIST).
- Address: 34 Dogwood Ln., Middletown, PA 17057, Contact: Francine Walker, Phone: (717) 944-5541.
- REGION IV -- Atlanta, GA**
Regional Asbestos Coordinator: Liz Wilde, EPA, Region IV, 345 Courtland St., NE, Atlanta, GA 30365. (404) 347-5014, (FTS) 257-5014.
(1) *Laboratory*: ATEC Associates, Inc. (NIST).
- Address: 129 West Valley Ave., Birmingham, AL 38209, Contact: David Yates, Phone: (205) 945-9224.
(2) *Laboratory*: ATEC Associates, Inc. (NIST).
- Address: 4845 Rosselle St., Jacksonville, FL 32205, Contact: Doug Carvel, Phone: (904) 387-6404.
(3) *Laboratory*: ATEC Associates, Inc. (NIST).
- Address: 2990 Northwest 40 St., Miami, FL 33142, Contact: Michael H. Straube, Phone: (305) 633-2700.
(4) *Laboratory*: ATEC Associates, Inc. (NIST), Environmental Services Division.
- Address: 1300 Williams Dr., Marietta, GA 30066-6299, Contact: Dwayne Cheatom, Phone: (404) 427-9456.
(5) *Laboratory*: ATEC Environmental Consultants (NIST).
- Address: 1535 North Cogswell St., Suite A-5, Rockledge, FL 32955, Contact: Harry L. Capadano, Jr., Phone: (407) 631-6561.
(6) *Laboratory*: Advanced Industrial Hygiene Services, Inc. (NIST).
- Address: 2131 Southwest 2nd Ave., Miami, FL 33129, Contact: Bruce Marchette, Phone: (305) 854-7554.
(7) *Laboratory*: American Microscopy Laboratory (NIST).
- Address: 29 Heritage Hills, Tuscaloosa, AL 35406, Contact: M. A. Beg, Phone: (205) 345-2555.
(8) *Laboratory*: Analytical & Forensic Associates (NIST).
- Address: 1913 Capri Dr., Huntsville, AL 35811, Contact: John Kilbourne, Phone: (205) 533-3188.
(9) *Laboratory*: Analytical Management, Inc. (NIST).
- Address: P.O. Box 11279, Lexington, KY 40574, Contact: David H. McRae, Phone: (606) 231-6511.
(10) *Laboratory*: Apollo Environmental, Inc. (NIST).
- Address: 11553 U.S. Highway 41 South, Gibsonton, FL 33534-9720, Contact: Patricia Craig, Phone: (813) 671-3999.
(11) *Laboratory*: Applied Environmental Testing Lab, Inc. (NIST).
- Address: 680 Thornton Way, Suite 202, Lithia Springs, GA 30057, Contact: Ali A. Hassani Pak, Phone: (404) 948-4919.
(12) *Laboratory*: Asbestos Analysis and Information Service (NIST).
- Address: P.O. Box 837, Fair Oaks, NC 27524, Contact: Kathy Westbrook, Phone: (919) 894-2804.
(13) *Laboratory*: Asbestos Analytical Lab, Inc. (NIST).
- Address: 6900 Phillips Hwy. Suite 3, Jacksonville, FL 32216, Contact: Lisa Emmel, Phone: (904) 636-0644.
(14) *Laboratory*: Azimuth, Inc. (NIST).
- Address: P.O. Box 71904, Charleston, SC 29415-1904, Contact: Charles B. Stoyale, Phone: (803) 553-9456.
(15) *Laboratory*: BCM Engineers, Inc. (NIST).
- Address: 104 St. Francis St., Suite 400, Mobile, AL 36633, Contact: Sheri Sims, Phone: (205) 433-0517.
(16) *Laboratory*: Bonner Analytical Testing Co. (NIST).
- Address: Rt. 14, Box 509, Hattiesburg, MS 39402, Contact: Michael Bonner, Phone: (601) 264-2854.
(17) *Laboratory*: Briggs Associates, Inc. (NIST).
- Address: 4409 Vineland Rd., Suite JN, Orlando, FL 32811, Contact: Tom Murray, Phone: (407) 422-3522.
(18) *Laboratory*: Broward County Environmental Quality Control Board (NIST).
- Address: 500 SW. 14th Court, Ft. Lauderdale, FL 33315, Contact: Kenneth Larson, Phone: (305) 765-5881.

- (19) *Laboratory*: CRU, Inc. (NIST).
Address: P.O. Box 24467, Louisville, KY 40224, Contact: Donna M. Ringo, Phone: (502) 426-8860.
- (20) *Laboratory*: Carolina Environmental (NIST).
Address: 5104 Suite 201-C Western Blvd., Raleigh, NC 27606, Contact: Dale King, Phone: (919) 859-0477.
- (21) *Laboratory*: Cavin Analytical Consultants (NIST).
Address: 2165-k West Park Ct., Stone Mountain, GA 30087-3547, Contact: Joy Cavin, Phone: (404) 498-8295.
- (22) *Laboratory*: Certified Engineering and Testing Co., Inc. (NIST).
Address: 5175 Elmore Rd. Suite 1, Memphis, TN 38134, Contact: Sharon Frase, Phone: (901) 382-6282.
- (23) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).
Address: 400 Chastain Center Blvd., NW, Suite 490, Kennesaw, GA 30144, Contact: Owen Crankshaw, Phone: (404) 499-7500.
- (24) *Laboratory*: Davis & Floyd, Inc. (NIST).
Address: P.O. Drawer 428, Greenwood, SC 29648, Contact: William J. Day, Phone: (803) 229-5211.
- (25) *Laboratory*: EEC, Inc. (NIST).
Address: 2245 North Hills Dr., Suite J, Raleigh, NC 27612, Contact: Mike Scrimanker, Phone: (919) 782-8910.
- (26) *Laboratory*: EEC, Inc. (NIST).
Address: 500 Rivermont Rd., P.O. Box 11847, Columbia, SC 29210, Contact: Kevin Ulmer, Phone: (803) 256-7846.
- (27) *Laboratory*: EMSL, Inc. (NIST).
Address: 1800 Peachtree St., NW., Suite 305, Atlanta, GA 30309, Contact: John Scarano, Phone: (404) 858-4800.
- (28) *Laboratory*: Ecosafe, Inc. (NIST).
Address: 1713 Chapel Hill Rd., Durham, NC 27707, Contact: Steven L. Goode, Phone: (919) 493-2612.
- (29) *Laboratory*: Enviro-Chem, Inc. (NIST).
Address: 762 Downtowner Loop W., Mobile, AL 36609, Contact: Charles Smilie, Phone: (205) 344-7711.
- (30) *Laboratory*: EnviroSciences, Inc. (NIST).
Address: Montgomery Bldg., Suite 705, P.O. Box 5804, Spartanburg, SC 29304, Contact: Andrew G. Schauder, Phone: (803) 585-4900.
- (31) *Laboratory*: Environmental Analytical Labs (NIST).
Address: Cobb Corporate Center/300, 350 Franklin Rd., Marietta, GA 30067, Contact: Jeremy A. Armstrong, Phone: (404) 425-9901.
- (32) *Laboratory*: Environmental Health Laboratory (EHL) (NIST), Cigna Loss Control Services.
Address: 3920 Arkwright Rd., Macon, GA 31213, Contact: Jeanne Gibbs, Phone: (912) 471-4544.
- (33) *Laboratory*: Environmental Laboratories, Inc. (NIST).
Address: 2496-C Tuckerstone Pkwy., Tucker, GA 30084, Contact: Charles Zollner, Phone: (404) 938-6819.
- (34) *Laboratory*: Environmental Materials Consultants (NIST).
Address: P.O. Box 100161, 2217 10th Ct. S., Suite 200, Birmingham, AL 35210, Contact: Denny Stapp, Phone: (205) 933-0400.
- (35) *Laboratory*: Environmental Materials Consultants (NIST).
Address: 492 South Court St., Montgomery, AL 36103, Contact: W. Hynes Kelley, Phone: (205) 265-4000.
- (36) *Laboratory*: Environmental Protection Systems, Inc. (NIST).
Address: 9900-A Pensacola Blvd., Pensacola, FL 32514, Contact: Don Gay, Phone: (904) 944-0301.
- (37) *Laboratory*: Environmental Protection Systems, Inc. (NIST).
Address: 5360 I-55 North, P.O. Box 20382, Jackson, MS 39209, Contact: Herbert Johnston, Phone: (601) 956-1400.
- (38) *Laboratory*: Enviropax Svcs., Inc. (NIST).
Address: 4790 NW. 157 St., Hialeah, FL 33014, Contact: Rajendranath Ramnath, Phone: (305) 620-1700.
- (39) *Laboratory*: Envirosiences, Inc. (NIST).
Address: 3810-F Merton Dr., Raleigh, NC 27609, Contact: E. R. Childress, Phone: (919) 782-1487.
- (40) *Laboratory*: Evans Environmental & Geological Science (NIST).
Address: 2631 SW. 27th St., Coconut Grove, FL 33133, Contact: Charles Evans, Phone: (305) 856-7458.
- (41) *Laboratory*: Fiber Lab, Inc. (NIST).
Address: P.O. Box 36726, Birmingham, AL 35236, Contact: David Hayes, Phone: (205) 822-8544.
- (42) *Laboratory*: GSC Environmental Laboratories, Inc. (NIST).
Address: 1824 Bi Wylds Rd., Augusta, GA 30909, Contact: Dan Troutman, Phone: (404) 737-0185.
- (43) *Laboratory*: Geo-Environmental Services, Inc. (NIST).
Address: 141 West Wieuca Rd., Suite 200A, Atlanta, GA 30342, Contact: Susan Harper, Phone: (404) 257-9303.
- (44) *Laboratory*: Harmon Engineering Associates, Inc. (NIST).
Address: 1550 Pumphrey Ave., Auburn, AL 36830-4399, Contact: Roger Thompson, Phone: (205) 821-9250.
- (45) *Laboratory*: Health & Hygiene, Inc. (NIST).
Address: 4605-E Dundas Dr., Greensboro, NC 27407, Contact: Sharon P. Lonon, Phone: (919) 854-2303.
- (46) *Laboratory*: Hillmann Environmental Co. of Florida (NIST).
Address: 12108 N. 56th St., Tampa, FL 33617, Contact: Mary Hillmann, Phone: (813) 988-1652.
- (47) *Laboratory*: Hunter Services, Inc. (NIST).
Address: 14220 W. Newberry Rd., P.O. Box ESE, Gainesville, FL 32607-1703, Contact: Barbara Ross, Phone: (904) 332-3318.
- (48) *Laboratory*: KNL Laboratory Services (NIST).
Address: P.O. Box 1833, Tampa, FL 33601, Contact: Garrett J. McGibbon, Phone: (813) 229-2879.
- (49) *Laboratory*: Larron Laboratory (NIST).
Address: 711 Broadway, Mayfield, KY 42066, Contact: Daniel Roth, Phone: (502) 247-6982.
- (50) *Laboratory*: Law Associates, Inc. (NIST).
Address: 114 Town Park Dr., Kennesaw, GA 30144, Contact: Greg Lewars, Phone: (404) 499-6600.
- (51) *Laboratory*: Law Engineering (NIST).
Address: 4919 West Laurel St., P.O. Box 24183, Tampa, FL 33623, Contact: Monte Hall, Phone: (813) 879-0750.
- (52) *Laboratory*: Law Engineering Testing Co. (NIST).
Address: 501 Minuet Ln., P.O. Box 11297, Charlotte, NC 28220, Contact: R. Glenn Craig, Phone: (704) 523-2022.
- (53) *Laboratory*: Law Engineering, Inc. (NIST).
Address: 3608 7th Ct., S., P.O. Box 10244, Birmingham, AL 35202, Contact: R. Michael Hamilton, Phone: (205) 252-9901.
- (54) *Laboratory*: Materials Analytical Services, Inc. (NIST).
Address: 3597 Parkway Ln., Suite 250, Norcross, GA 30092, Contact: William Longo, Phone: (404) 448-9030.
- (55) *Laboratory*: McCrone Environmental Services, Inc. (NIST).
Address: 1412 Oakbrook Dr., Suite 100, Norcross, GA 30093, Contact: Harriotte A. Hurley, Phone: (404) 368-9600.

(56) *Laboratory*: Metro Services Laboratory (NIST), Asbestos Control Division.

Address: 6309 Fern Valley Pass, Louisville, KY 40228, Contact: Zonetta English, Phone: (502) 964-0865.

(57) *Laboratory*: Micro Analytical Laboratories, Inc. (NIST).

Address: 3618 Northwest 97th Blvd., Gainesville, FL 32606, Contact: Nancy Dehgan, Phone: (904) 332-1701.

(58) *Laboratory*: Micro-methods, Inc. (NIST).

Address: 6500 Sunplex, Ocean Springs, MS 39564, Contact: Thomas J. Wilson, Phone: (601) 875-6420.

(59) *Laboratory*: NSI - ES Analytical Svcs. Lab (NIST).

Address: 2 Triangle Dr., P.O. Box 12313, RTP, NC 27709-2313, Contact: James A. Jahnke, Phone: (919) 549-0611.

(60) *Laboratory*: PSC Environmental, Inc. (NIST).

Address: 1105 Fitzpatrick Ave., P.O. Box 2605, Opelika, AL 36803-2605, Contact: Fred Moore, Phone: (205) 749-2636.

(61) *Laboratory*: Pace Laboratories, Inc. (NIST).

Address: 5460 Beaumont Center Blvd., Tampa, FL 33634, Contact: Timothy M. Odell, Phone: (813) 884-8268.

(62) *Laboratory*: Pensacola P.O.C., Inc. (NIST).

Address: 109 South 2nd St., Pensacola, FL 32507, Contact: Barbara Svinglin, Phone: (904) 456-4406.

(63) *Laboratory*: Phoenix Environmental Labs (NIST), Division of P.D.R. Engineers, Inc.

Address: 2000 Lindell Ave., Nashville, TN 37203, Contact: Teresa Tichenor, Phone: (615) 298-2065.

(64) *Laboratory*: Pioneer Laboratory, Inc. (NIST).

Address: 11 East Olive Rd., Pensacola, FL 32514, Contact: Paul Canevaro, Phone: (904) 474-1001.

(65) *Laboratory*: Professional Service Ind., Inc. (NIST), PTL/Arribas Division.

Address: 3901 Northwest 29th Ave., Miami, FL 33142, Contact: Mary E. Hamel, Phone: (305) 633-7555.

(66) *Laboratory*: Quality Analytical Services, Inc. (NIST).

Address: 709 West Johnson St., Raleigh, NC 27603, Contact: Eloise Sheats, Phone: (919) 839-0757.

(67) *Laboratory*: Reed Environmental Svcs. (NIST).

Address: 33 E. 7th St., Covington, KY 41001, Contact: Ken Reed, Phone: (606) 431-6224.

(68) *Laboratory*: Safety Underwriters Laboratory (NIST).

Address: P.O. Box 20094, Birmingham, AL 35216, Contact: Rebecca Hicks, Phone: (205) 822-3727.

(69) *Laboratory*: Schneider Services International, Inc. (NIST).

Address: Chem Lab MS-340, Arnold AFB, TN 37389, Contact: Jim Thomas, Phone: (615) 454-6573.

(70) *Laboratory*: Schweiger and Associates (NIST).

Address: 106 Hamby Rd., SE., Marietta, GA 30339, Contact: Patrick J. Schweiger, Phone: (404) 988-9250.

(71) *Laboratory*: South Carolina Dept. of Health & Environmental Control (NIST), Bureau of Labs.

Address: 8231 Parklane Rd., P.O. Box 2202, Columbia, SC 29202, Contact: Edward Williams, Phone: (803) 737-7003.

(72) *Laboratory*: Southeastern Marine Chemists, Inc. (NIST), Southeastern Chemists' Laboratories.

Address: P.O. Box 8917, Jacksonville, FL 32211, Contact: Joseph W. Newton, Phone: (904) 725-2040.

(73) *Laboratory*: Specialized Assays (NIST).

Address: 210 12th Ave., S., P.O. Box 25110, Nashville, TN 37202, Contact: Kay Williams-Smith, Phone: (615) 255-5786.

(74) *Laboratory*: TEI Environmental, Inc. (NIST).

Address: 308A Pomona Dr., Greensboro, NC 27407, Contact: James Buchanan, Phone: (919) 852-0318.

(75) *Laboratory*: TTL, Inc. (NIST).

Address: 3516 Greensboro Ave., P.O. Box 1128, Tuscaloosa, AL 35403, Contact: Jack E. Davis, Phone: (205) 345-0816.

(76) *Laboratory*: Testwell Craig Laboratories of Florida, Inc. (NIST).

Address: 7104 Northwest 51st St., Miami, FL 33166, Contact: Robert Schuler, Phone: (305) 593-0561.

(77) *Laboratory*: Thornton Laboratories, Inc. (NIST).

Address: 1145 East Cass St., Tampa, FL 33602, Contact: Steve Fickett, Phone: (813) 223-9702.

(78) *Laboratory*: Westinghouse Environmental & Geotechnical Svcs. Inc. (NIST).

Address: 3980 Dekalb Technology Pkwy., Suite 700, Atlanta, GA 30340, Contact: Clint Gilbert, Phone: (404) 452-1911.

(79) *Laboratory*: Westinghouse Environmental & Geotechnical Svcs., Inc. (NIST).

Address: 111 Kelsey Ln., Suite B, Tampa, FL 33619, Contact: John J. Henderson, Phone: (813) 623-2438.

(80) *Laboratory*: Westinghouse Environmental & Geotechnical Svcs., Inc. (NIST).

Address: 9800-D Southern Pines Blvd., P.O. Box 7668, Charlotte, NC 28217, Contact: Terry Liles, Phone: (704) 523-8910.

(81) *Laboratory*: Westinghouse Environmental & Geotechnical Svcs., Inc. (NIST).

Address: 840 Low Country Blvd., Mt. Pleasant, SC 29464, Contact: Nina G. Marshtein, Phone: (803) 884-0005.

(82) *Laboratory*: Weston-ATC Mobile Facility (NIST).

Address: 1635 Pumphrey Ave., Auburn, AL 36830, Contact: Keith Pass, Phone: (205) 826-6100.

(83) *Laboratory*: Weston-ATC, Inc. (NIST).

Address: 1635 Pumphrey Ave., Auburn, AL 36830-4303, Contact: William Barker, Phone: (205) 826-6100.

REGION V -- Chicago, IL

Regional Asbestos Coordinator: Anthony Restaino, EPA, Region V, 230 S. Dearborn St., (5-SPT-7), Chicago, IL 60604. (312) 886-6003, (FTS) 886-6003.

(1) *Laboratory*: AIRResearch (NIST).

Address: 2969 N. 114th St., Wauwatosa, WI 53222, Contact: James Walsh, Phone: (414) 476-1030.

(2) *Laboratory*: ALEX (NIST).

Address: 485 Frontage Rd., Burr Ridge, IL 60521, Contact: Linda Orr, Phone: (312) 789-6080.

(3) *Laboratory*: ATEC Associates, Inc. (NIST).

Address: 1501 East Main St., Griffith, IN 46319, Contact: Roger S. Berkowitz, Phone: (219) 924-6690.

(4) *Laboratory*: ATEC Associates, Inc. (NIST).

Address: 5150 East 65th St., Indianapolis, IN 46220-4871, Contact: Richard A. Gehlbach, Phone: (317) 849-4990.

(5) *Laboratory*: Affiliated Environmental Services, Inc. (NIST).

Address: 3606 Venice Rd., Sandusky, OH 44870, Contact: Jack Dauch, Phone: (419) 627-1976.

(6) *Laboratory*: Air Quality Testing (NIST).

Address: 236 South Washington St., Naperville, IL 60540, Contact: J.D. Stubblefield, Phone: (312) 983-4010.

(7) *Laboratory*: Air Quality Testing, Inc. (NIST).

Address: 1630 Fifth Ave., Suite 541, Moline, IL 61265, Contact: Gerald Hofferth, Phone: (309) 762-1998.

- (8) *Laboratory*: AirTech Associates, Inc. (NIST).
Address: 1807 Hicks Rd., Suite D, Rolling Meadows, IL 60008-1215, Contact: Mark Watka or Anne Czechorski, Phone: (708) 934-4349.
- (9) *Laboratory*: Aires Environmental Services (NIST).
Address: 1550 Hubbard, Batavia, IL 60510, Contact: Cynthia Darling, Phone: (312) 879-3006.
- (10) *Laboratory*: Alderink & Associates, Inc. (NIST).
Address: 3221 3 Mile Rd., Grand Rapids, MI 49504, Contact: Carol J. Paxhia, Phone: (616) 791-0730.
- (11) *Laboratory*: Allied Enviro Engineering, Inc. (NIST).
Address: 18316 Middlebelt Rd., Livonia, MI 48152, Contact: William O'Brien, Phone: (313) 476-1068.
- (12) *Laboratory*: Alloway Testing (NIST).
Address: 1325 North Cole St., Lima, OH 45801-3415, Contact: John R. Hoffman, Phone: (419) 223-1362.
- (13) *Laboratory*: Alpha Environmental Labs, Inc. (NIST).
Address: 1524 Sibley, Lowell, MI 49331, Contact: Jeanie Samuelson, Phone: (616) 897-8240.
- (14) *Laboratory*: American Analytical Laboratories (NIST).
Address: 100 Lincoln St., Akron, OH 44308, Contact: Richard E. Moore, Phone: (216) 535-1300.
- (15) *Laboratory*: Amoco Oil Co.-Whiting Refinery (NIST), Lab. Services Division.
Address: 2831 Indianapolis Blvd., Whiting, IN 46394, Contact: James Miller, Phone: (219) 473-3075.
- (16) *Laboratory*: Anasbestos Co. (NIST).
Address: 7206 West 90th Pl., Bridgeview, IL 60455, Contact: Gary Kentgen, Phone: (312) 598-2921.
- (17) *Laboratory*: Applied Environmental Sciences, Inc. (NIST).
Address: 511 11th Ave. S., Box 220, Minneapolis, MN 55415, Contact: Patrick DiBartolomeo, Phone: (612) 339-5559.
- (18) *Laboratory*: Asbestos Compliance Technology, Inc. (NIST).
Address: 4015 Cherry St., Cincinnati, OH 45223, Contact: Tina Schmalz, Phone: (513) 741-1331.
- (19) *Laboratory*: Asbestos Control Methods, Inc. (NIST).
Address: 2010 South Carboy Rd., Mount Prospect, IL 60056, Contact: Jeffrey Camplin, Phone: (312) 437-7999.
- (20) *Laboratory*: Asbestos Management, Inc. (NIST).
Address: 36700 South Huron St., Suite 104, New Boston, MI 48164, Contact: D. Rex Bleeker, Phone: (313) 961-6135.
- (21) *Laboratory*: Asbestos Technology, Inc. (NIST).
Address: 5353 Tacoma Ave., Indianapolis, IN 46220, Contact: Dawn Trigg, Phone: (317) 257-5096.
- (22) *Laboratory*: BCA Laboratory (NIST).
Address: 1102 South Main, Bloomington, IL 61701, Contact: Kurt Benckendorf, Phone: (309) 828-7772.
- (23) *Laboratory*: BDN Industrial Hygiene Consultants, Inc. (NIST).
Address: 8105 Valleywood Lane, Portage, MI 49002, Contact: Zigfrid Thomas, Phone: (616) 329-1237.
- (24) *Laboratory*: Badger Laboratories & Engineering Co., Inc. (NIST).
Address: 1110 South Oneida St., Appleton, WI 54915, Contact: Stephen Taylor, Phone: (414) 739-9313.
- (25) *Laboratory*: Beling Consultants, Inc. (NIST).
Address: 1001-16th St., Moline, IL 61265, Contact: Jeffrey A. Wasson, Phone: (309) 757-9800.
- (26) *Laboratory*: Braun Environmental Laboratories (NIST).
Address: 6800 South Country Rd. 18, P.O. Box 35108, Minneapolis, MN 55435-0108, Contact: Lisa A. Fournelle-Smestad, Phone: (612) 941-5600.
- (27) *Laboratory*: Bristol-Myers USPNG, Mail 45.
Address: 2404 W. Pennsylvania Ave., Evansville, IN 47721, Contact: John Tilley, Phone: (812) 429-7892.
- (28) *Laboratory*: Bruce Menkel & Associates, Inc. (NIST).
Address: 235 Industrial Dr., P.O. Box 159, Franklin, OH 45005, Contact: Bruce Menkel, Phone: (513) 746-9300.
- (29) *Laboratory*: C.G. Technologies, Inc. (NIST).
Address: 535 Science Dr., Suite B, Madison, WI 53711, Contact: Carol Gannon, Phone: (608) 238-7811.
- (30) *Laboratory*: CENCON (CNA Insurance) (NIST).
Address: 333 South Wabash - 3W, Chicago, IL 60604, Contact: Ellen Janka, Phone: (312) 822-6093.
- (31) *Laboratory*: Carnow, Conibear and Associates, Ltd. (NIST).
Address: 333 West Wacker Dr., 14th Fl., Chicago, IL 60606, Contact: Steve Wolf, Phone: (312) 782-4486.
- (32) *Laboratory*: Chem-Bio Corporation (NIST).
Address: 140 East Ryan Rd., Oak Creek, WI 53154, Contact: Kaye Donlevy, Phone: (414) 764-7005.
- (33) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).
Address: 22345 Roethel Dr., Novi, MI 48050, Contact: Bob Lieckfield, Phone: (313) 344-1770.
- (34) *Laboratory*: Cole Associates, Inc. (NIST).
Address: 2211 East Jefferson Blvd., South Bend, IN 46615, Contact: Lawrence W. Grauvogel, Phone: (219) 236-4400.
- (35) *Laboratory*: Daily Analytical Laboratories (NIST).
Address: 1621 West Candletree Dr., Peoria, IL 61614, Contact: Susan J. Naschert, Phone: (309) 692-5252.
- (36) *Laboratory*: DataChem, Inc. (NIST).
Address: 4388 Glendale-Milford Rd., Cincinnati, OH 45242, Contact: Lance Eggenberger, Phone: (513) 733-5336.
- (37) *Laboratory*: DeLisle Consulting & Laboratories, Inc. (NIST).
Address: 6946 East North Ave., Kalamazoo, MI 49001, Contact: Brad Shook, Phone: (616) 343-9698.
- (38) *Laboratory*: DeYor Laboratories, Inc. (NIST).
Address: P.O. Box 3949, 7655 Market St., Suite 2500, Youngstown, OH 44512, Contact: Joseph K. Samuels, Phone: (216) 758-5788.
- (39) *Laboratory*: Donald C. Cook Nuclear Power Plant (NIST).
Address: One Cook Place, Bridgman, MI 49106, Contact: Lynn Mensinger, Phone: (616) 465-6319.
- (40) *Laboratory*: EIS Environmental Engineers, Inc. (NIST).
Address: 1701 North Ironwood Dr., South Bend, IN 46635, Contact: H. Stephen Nye, Phone: (219) 277-5715.
- (41) *Laboratory*: ENTELA Engineering Services, Inc. (NIST).
Address: 4020 West River Dr., Comstock Park, MI 49321, Contact: Cal Van Ooyen, Phone: (616) 784-7774.
- (42) *Laboratory*: ERT Testing Services, Inc. (NIST).
Address: D.O.H. Professional Bldg., 211 Glendale, Suite 425, Highland Park, MI 48203, Contact: Rose M. Grier, Phone: (313) 865-0600.
- (43) *Laboratory*: Electro Analytical, Inc. (NIST).
Address: 7118 Industrial Park Blvd., Mentor, OH 44060-5377, Contact: Mitchell E. Fadern, Phone: (216) 951-3514.
- (44) *Laboratory*: Electro-Analytical Labs (NIST).

Address: 715 Lake St, Suite 702, Oak Park, IL 60301, Contact: Celeste Brancel, Phone: (708) 848-6662.

(45) *Laboratory:* Environmental Analytical Labs (NIST).

Address: 314 South State Ave., Indianapolis, IN 46201, Contact: David W. Hogue, Phone: (317) 269-3618.

(46) *Laboratory:* Environmental Consultants, Inc. (NIST).

Address: 1916 North 12th St., P.O. Box 2104, Toledo, OH 43603, Contact: Donald Dick, Phone: (419) 241-7127.

(47) *Laboratory:* Environmental Enterprises, Inc. (NIST).

Address: 10147 Springfield Pike, Cincinnati, OH 45215, Contact: Wayne L. Collier, Phone: (513) 772-2818.

(48) *Laboratory:* Environmental Evaluation & Laboratory Services, Inc. (NIST).

Address: 225 Parsons St., P.O. Box 1665, Kalamazoo, MI 49005, Contact: A. Clark Kahn, III, Phone: (616) 388-8099.

(49) *Laboratory:* Environmental Services, Inc. (NIST).

Address: 1403 Sunset Ter., P.O. Box 385, Western Springs, IL 60558, Contact: Hugh Flack, Phone: (312) 246-2040.

(50) *Laboratory:* Esstek, Inc. (NIST).

Address: 17960 Englewood Dr., Middleburg Heights, OH 44130, Contact: Scott F. Linville, Phone: (216) 826-4220.

(51) *Laboratory:* Fay Goldblatt Laboratories, Inc. (NIST).

Address: 5225 Old Orchard Rd., Suite 2, Skokie, IL 60077, Contact: Fay Goldblatt, Phone: (708) 965-8333.

(52) *Laboratory:* Fibertec, Inc. (NIST).

Address: 700 Abbott Rd., East Lansing, MI 48823, Contact: Matthew Frisch, Phone: (517) 351-0345.

(53) *Laboratory:* Gabriel Laboratories, Inc. (NIST).

Address: 1421 North Elston Ave., Chicago, IL 60622, Contact: Chris Rollins, Phone: (312) 486-2123.

(54) *Laboratory:* Gelles Laboratories (NIST).

Address: 2836 Fisher Rd., Columbus, OH 43204, Contact: S.H. Gelles, Phone: (614) 276-2957.

(55) *Laboratory:* General Motors Industrial Hygiene (NIST).

Address: 3-229 RAB, GM Tech. Center, Warren, MI 48090, Contact: Marlaine Cermak, Phone: (313) 986-1051.

(56) *Laboratory:* Granite City Steel Co. (NIST), Dept. of Environmental Quality Control.

Address: 20th & State Sts., Granite City, IL 62040, Contact: Douglas Stracke, Phone: (618) 451-3461.

(57) *Laboratory:* Hayden Environmental Group, Inc. (NIST).

Address: 6015 Manning Rd., Miamisburg, OH 45342, Contact: David Robinson, Phone: (513) 866-5908.

(58) *Laboratory:* Hazardous Materials Management, Inc. (NIST).

Address: 2517 Seiferth Rd., Madison, WI 53704, Contact: Jonathan Patlak, Phone: (608) 221-4027.

(59) *Laboratory:* Highland Geotechnical Svcs., Inc. (NIST).

Address: Pompey's Pillar Rd., Highland, WI 53543, Contact: Janet Blabaum, Phone: (608) 929-7881.

(60) *Laboratory:* IHI Kemron Environmental Services (NIST).

Address: 32740 North Western Hwy., Farmington Hills, MI 48018, Contact: Charles O'Bryan, Phone: (313) 626-2426.

(61) *Laboratory:* IIT Research Institute (NIST).

Address: 10 West 35th St., Chicago, IL 60616, Contact: Jean Graf-Teteryoz, Phone: (312) 567-4286.

(62) *Laboratory:* ITL/Bascor (NIST).

Address: 5960 North Milwaukee Ave., Chicago, IL 60643, Contact: Joby H. Burman, Phone: (312) 792-2454.

(63) *Laboratory:* Indiana State Board of Health (NIST), IH Lab.

Address: 1330 West Michigan St., Indianapolis, IN 46206, Contact: John Ruyack, Phone: (317) 633-0692.

(64) *Laboratory:* Industrial Environmental Consultants (NIST).

Address: 1760 East Grand River, East Lansing, MI 48823, Contact: Teresa Kenyon, Phone: (517) 351-4002.

(65) *Laboratory:* Institute for Environmental Assessment (NIST).

Address: 641 E. Main St., Anoka, MN 55303, Contact: Richard T. Cox, Phone: (612) 427-5310.

(66) *Laboratory:* John Mathes & Assoc., Inc. (NIST).

Address: 210 West Sand Bank Rd., P.O. Box 330, Columbia, IL 62236-0330, Contact: David H. Ward, Phone: (618) 281-7173.

(67) *Laboratory:* Lyle Laboratories (NIST).

Address: 41 South Grant Ave., Columbus, OH 43215, Contact: Tom Eggers, Phone: (614) 224-8822.

(68) *Laboratory:* MacDonald Research Group, Inc. (NIST).

Address: 1441 N. Mayfair Rd., Milwaukee, WI 53226, Contact: Hector MacDonald, Phone: (414) 771-7151.

(69) *Laboratory:* Martin Marietta Energy Systems, Inc. (NIST).

Address: Portsmouth Gaseous Diffusion Plant, P.O. Box 628, Piketon, OH

45661, Contact: David Boyd, Phone: (614) 289-2331.

(70) *Laboratory:* Materials Testing Consultants, Inc. (NIST).

Address: 693 Plymouth NE., Grand Rapids, MI 49505, Contact: Judson Sorenson, Phone: (616) 456-5469.

(71) *Laboratory:* Micro Air, Inc. (NIST).

Address: 7132 Lakeview Pkwy. West Dr., Indianapolis, IN 46268, Contact: Harold Eitzen, Phone: (317) 293-1533.

(72) *Laboratory:* Micro Air, Inc. (NIST) (Mobile).

Address: 7132 Lakeview Pkwy. West Dr., Indianapolis, IN 46268, Contact: Harold Eitzen, Phone: (317) 293-1533.

(73) *Laboratory:* Micro-Fiber Laboratories, Inc. (NIST).

Address: 605 Landwehr Rd., Northbrook, IL 60062, Contact: Phillip G. Pekron, Phone: (312) 498-4127.

(74) *Laboratory:* MicroView Consulting (NIST).

Address: 416 East Catawba Ave., Akron, OH 44301, Contact: Frank S. Karl, Phone: (216) 773-8330.

(75) *Laboratory:* Microtec Labs, Inc. (NIST).

Address: 4221 Lake St., Bridgman, MI 49106, Contact: Leslie Eker, Phone: (616) 465-5748.

(76) *Laboratory:* Monarch Analytical Laboratories, Inc. (NIST).

Address: P.O. Box 2990, Toledo, OH 43606, Contact: Ronald J. Plenzler, Phone: (419) 535-1780.

(77) *Laboratory:* NATLSO (NIST).

Address: Rte. 22 & Kemper Dr., K-2, Long Grove, IL 60049, Contact: Joan Wronski, Phone: (312) 540-2488.

(78) *Laboratory:* Northland Environmental Services, Inc. (NIST).

Address: P.O. Box 909, Stevens Point, WI 54481, Contact: Robert C. Voborsky, Phone: (715) 341-9699.

(79) *Laboratory:* Nova Environmental Services, Inc. (NIST).

Address: 1107 Hazeltine Blvd., Suite 420, Hazeltine Gates, Chaska, MN 55318, Contact: Elizabeth Gardner, Phone: (612) 448-8888.

(80) *Laboratory:* Ohio Department of Health (NIST), Division of Laboratories.

Address: 1571 Perry St., Box 2568, Columbus, OH 43268-0068, Contact: Gary Davidson, Phone: (614) 421-1078.

(81) *Laboratory:* P.A.T. Services (NIST).

Address: 133 Hollywood, Creve Coeur, IL 61611, Contact: Cheryl McGuinnis, Phone: (309) 698-0703.

(82) *Laboratory*: PEI Associates, Inc. (NIST).

Address: 11499 Chester Rd., Cincinnati, OH 45246, Contact: Craig Caldwell, Phone: (513) 782-4700.

(83) *Laboratory*: Pace Laboratories, Inc. (NIST).

Address: 1710 Douglas Dr., N., Minneapolis, MN 55422, Contact: Roger Splinter, Phone: (612) 544-5543.

(84) *Laboratory*: Parkland Labs (NIST).

Address: 2935 ClearLake Ave., Springfield, IL 62702, Contact: Harry Stowers, Phone: (217) 525-2935.

(85) *Laboratory*: Particle Data Laboratories, Ltd. (NIST).

Address: 115 Hahn St., Elmhurst, IL 60126, Contact: Ron Sturm, Phone: (312) 832-5658.

(86) *Laboratory*: Pro-Ac Asbestos Services (NIST).

Address: 8711 Reading Rd., Cincinnati, OH 45215, Contact: Fred Schmalz, Phone: (513) 821-0505.

(87) *Laboratory*: RCM Laboratories (NIST).

Address: 4137 Blanchan, Brookfield, IL 60513, Contact: Collen Rifke, Phone: (312) 485-8600.

(88) *Laboratory*: Randolph & Associates, Inc. (NIST).

Address: 5440 North Cumberland Ave., Suite 111, Chicago, IL 60656, Contact: Bruce Stockmeier, Phone: (312) 693-6030.

(89) *Laboratory*: Randolph & Associates, Inc. (NIST).

Address: 8901 North Industrial Rd., Peoria, IL 61615, Contact: Ellen Zuck, Phone: (309) 692-4160.

(90) *Laboratory*: Reed City Hospital (NIST).

Address: 7665 Patterson Rd., P.O. Box 75, Reed City, MI 49677, Contact: James T. Reardon, Phone: (616) 832-3271.

(91) *Laboratory*: S.E.A., Inc. (NIST).

Address: 7349 Worthington-Galena Rd., Columbus, OH 43085, Contact: Jami J. St. Clair, Phone: (614) 888-4160.

(92) *Laboratory*: SIECO Asbestos Laboratory (NIST).

Address: 629 Washington St., Columbus, IN 47201, Contact: James McNalty, Phone: (812) 372-9911.

(93) *Laboratory*: Sea Earth & Air Environmental Consultants, Inc. (NIST).

Address: 6021 N. Ridge Ave., Chicago, IL 60660, Contact: Barbera Carr, Phone: (312) 973-7397.

(94) *Laboratory*: Seaway Environmental Labs (NIST).

Address: 542 Conkey St., Hammond, IN 46324, Contact: Karen A. Erny, Phone: (219) 932-1770.

(95) *Laboratory*: Sierra Analytical & Consulting Services, Inc. (NIST).

Address: 307 N. 1st St., Ann Arbor, MI 48103, Contact: Dave Nelson, Phone: (313) 662-1155.

(96) *Laboratory*: Stat Analysis Corporation (NIST).

Address: 2201 West Campbell Park Dr., Chicago, IL 60612-3501, Contact: David E. Schwartz, Phone: (312) 733-0551.

(97) *Laboratory*: Stilson Laboratories, Inc. (NIST).

Address: 170 North High St., Columbus, OH 43215, Contact: W. Martin Bell, Phone: (614) 228-4385.

(98) *Laboratory*: Suburban Environmental Consultants, Ltd. (NIST).

Address: 18031 Dixie Hwy., Homewood, IL 60430, Contact: Henry G. Gooday, Jr., Phone: (312) 335-1808.

(99) *Laboratory*: TEM, Inc. (NIST).

Address: 443 Duane St., Glen Ellyn, IL 60137, Contact: James Tuinenga, Phone: (312) 790-0880.

(100) *Laboratory*: Testing Engineers & Consultants, Inc. (NIST).

Address: 933 West Jolly Rd., Lansing, MI 48909, Contact: James Hollenbeck, Phone: (517) 887-0628.

(101) *Laboratory*: Testing Engineers & Consultants, Inc. (NIST).

Address: 3816 Carpenter Rd., Pittsfield Township, MI 48197, Contact: Dawn Brennan, Phone: (313) 971-0030.

(102) *Laboratory*: Testing Engineers and Consultants, Inc. (NIST).

Address: P.O. Box 249, 1333 Rochester Rd., Troy, MI 48099, Contact: Matthew Skeels, Phone: (313) 588-6200.

(103) *Laboratory*: Thermo Analytical, Inc. (NIST).

Address: 7314 West 90th St., Bridgeview, IL 60455, Contact: Frank P. DeFranza, Phone: (312) 430-1112.

(104) *Laboratory*: Thermo Analytical, Inc./ERG (NIST).

Address: 525 Avis Dr., Suite 7, Ann Arbor, MI 48108, Contact: Fred Fenner, Phone: (313) 662-3104.

(105) *Laboratory*: Toledo City.

Address: 26 Main St., Toledo, OH 43605, Contact: Richard K. Uscilowski, Phone: (419) 693-0350.

(106) *Laboratory*: Tremco (NIST).

Address: 10701 Shaker Blvd., Cleveland, OH 44104, Contact: Charles J. Kalocz1, Phone: (216) 292-5000.

(107) *Laboratory*: Tri-State Laboratories, Dept. of Environmental Services (NIST).

Address: 19 East Front St., Youngstown, OH 44503, Contact: Bari Lateef, Phone: (216) 746-8800.

(108) *Laboratory*: Twin City Testing Corporation (NIST).

Address: 662 Cromwell Ave., St. Paul, MN 55114, Contact: Rennie Smith, Phone: (612) 649-5000.

(109) *Laboratory*: United Analytical Services, Inc. (NIST).

Address: 4410 West Roosevelt Rd., Suite 101, Hillside, IL 60162, Contact: Patrick Fosnacht, Phone: (312) 449-0070.

(110) *Laboratory*: Wadsworth/Alert Laboratories (NIST).

Address: P.O. Box 31454, Cleveland, OH 44131, Contact: Dale Mori, Phone: (216) 642-9151.

(111) *Laboratory*: Walker & Ward (NIST).

Address: 2803 B N. St. Joseph Ave., Evansville, IN 47712, Contact: Roger Ward, Phone: (812) 421-1900.

(112) *Laboratory*: Wausau Insurance Companies, Environmental Health Laboratory (NIST).

Address: 2000 Westwood Dr., Wausau, WI 54401, Contact: Thomas Stavros, Phone: (715) 842-6810.

(113) *Laboratory*: Wisconsin Occupational Health Labs (NIST).

Address: 979 Jonathon Dr., Madison, WI 53713, Contact: Richard Zimmerman, Phone: (608) 263-8807.

(114) *Laboratory*: Zimmerlin Consulting Group (NIST).

Address: 8350 Craig St., Suite 285, Indianapolis, IN 46250, Contact: Daniel J. Smith, Phone: (317) 576-1922.

(115) *Laboratory*: Zimmerlin Consulting Group (NIST).

Address: 3082 Brown Park Dr., Suite D, P.O. Box 357, Hilliard, OH 43026-0357, Contact: William Zimmerlin, Phone: (614) 876-1153.

REGION VI -- Dallas, TX

Regional Asbestos Coordinator: John West, 6T-PT, EPA, Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. (214) 655-7244, (FTS) 255-7244.

(1) *Laboratory*: A & B Environmental Service, Inc.

Address: 15371 Woodfoust Blvd., Charnelview, TX 77530, Contact: Ram Ramakrisnan, Phone: (713) 457-6608.

(2) *Laboratory*: ACI & Associates (NIST).

Address: 2100 Road to Six Flags E., Arlington, TX 76011, Contact: Dan Weeks, Phone: (817) 282-9929.

(3) *Laboratory*: ATEC Associates, Inc. (NIST).

Address: 11356 Mathis Ave., Dallas, TX 75299-3157, Contact: Jim Hutchins, Phone: (214) 243-8931.

(4) *Laboratory:* Accumin Analysis, Inc. (NIST).

Address: 323 Hollyvale Dr., Houston, TX 77060, Contact: William McHale, Phone: (713) 931-1131.

(5) *Laboratory:* Aer-Aqua Lab, Inc./ Accredited Industrial Hygienists, Inc. (NIST).

Address: 211 E. Shaw, Pasadena, TX 77506, Contact: Mary Heusel, Phone: (713) 477-8101.

(6) *Laboratory:* Allied Enviro Engineering Inc. (NIST).

Address: 1450 Empire Central, Suite 116, Dallas, TX 75247, Contact: Thomas Palet, Phone: (214) 631-0862.

(7) *Laboratory:* Allied Environmental Services, Inc. (NIST).

Address: 16023 Interstate 10 East, No. 9, Channelview, TX 77530, Contact: Subba Gogineni, Phone: (713) 452-5897.

(8) *Laboratory:* Arkansas Department of Health (NIST).

Address: 4815 West Markham St., Little Rock, AR 72205, Contact: Stan Faulk, Phone: (501) 661-2389.

(9) *Laboratory:* Assaigai Analytical Laboratories (NIST).

Address: 7300 Jefferson, NE., Albuquerque, NM 87109, Contact: Dean Dupree, Phone: (505) 345-8964.

(10) *Laboratory:* CAM Environmental Svcs., Inc. (NIST).

Address: 9001 Airport Boulevard, Suite 105, Houston, TX 77061, Contact: Brian Akins, Phone: (713) 944-7480.

(11) *Laboratory:* Central Analytical Laboratories, Inc. (NIST).

Address: 2600 Marietta Ave., Kenner, LA 70062, Contact: David R. Lasater, Phone: (504) 469-3511.

(12) *Laboratory:* Chemtex Environmental Laboratory (NIST).

Address: 3082 25th St., Port Arthur, TX 77642, Contact: C.N. Reddy, Phone: (409) 983-4575.

(13) *Laboratory:* Conoco Analytical Labs (NIST).

Address: 1000 South Pine, Ponca City, OK 74603, Contact: Gary Keen, Phone: (405) 767-2468.

(14) *Laboratory:* Core Labs (NIST).

Address: 2417 West Pinhook Rd., Lafayette, LA 70508-3344, Contact: Richard Tietz, Phone: (318) 232-8042.

(15) *Laboratory:* Diversified Environmental Technologies, Inc. (NIST).

Address: 132 West Main, Norman, OK 73069, Contact: Dan Tutt, Phone: (405) 360-7929.

(16) *Laboratory:* EEG, Inc. (NIST).

Address: 1305 E. Main, Russellville, AR 72801, Contact: Anne Woker, Phone: (501) 968-6767.

(17) *Laboratory:* Earth Tech Enterprises, Inc. (NIST).

Address: RR No. 4, Box No. 4, Wagoner, OK 74467, Contact: Daryl Lessin, Phone: (918) 485-4910.

(18) *Laboratory:* East Texas Testing Laboratory, Inc. (NIST).

Address: 1717 East Erwin, Tyler, TX 75702, Contact: Gary G. LaFrance, Phone: (214) 595-4421.

(19) *Laboratory:* EcoTech (NIST).

Address: 3501 North MacArthur, Suite 400B, Irving, TX 75062, Contact: Amy L. Smith, Phone: (214) 257-0787.

(20) *Laboratory:* EnviroMed Laboratories, Inc. (NIST).

Address: 414 W. California St., Ruston, LA 71270, Contact: Robert Flournoy, Phone: (318) 255-0060.

(21) *Laboratory:* Environmental Analysis, Inc. (NIST).

Address: 914 Barber St., Little Rock, AR 72202, Contact: Phillip Young, Phone: (501) 374-7837.

(22) *Laboratory:* Environmental Analytics, Inc. (NIST).

Address: 18126 Ammi Trail, Houston, TX 77060, Contact: Harry Peterson, Phone: (713) 821-0994.

(23) *Laboratory:* Environmental Consultants, Inc. (NIST).

Address: P.O. Box 17867, Shreveport, LA 71138-0867, Contact: ArkLa Tex, Phone: (318) 687-3771.

(24) *Laboratory:* Environmental Monitoring Service, Inc. (NIST).

Address: 12731 Research Blvd., Bldg. A, Austin, TX 78759, Contact: Rick Pruet, Phone: (512) 335-9116.

(25) *Laboratory:* Environmental Monitoring Service, Inc. (NIST).

Address: 342 Twin City Hwy., Port Neches, TX 77651, Contact: Don Duplechian, Phone: (409) 727-7778.

(26) *Laboratory:* Environmental Research Institute, Inc. (NIST).

Address: P.O. Box 2024, Tyler, TX 75710, Contact: Thomas R. McKee, Phone: (214) 877-9314.

(27) *Laboratory:* Environmental Services Co., Inc. (NIST).

Address: 13715 West Markham, Little Rock, AR 72211, Contact: James Brown, Phone: (501) 221-2565.

(28) *Laboratory:* Envirotech, Inc. (NIST).

Address: P.O. Box 42812-414, Houston, TX 77042, Contact: Daniel J. Gerhardt, Phone: (713) 782-4101.

(29) *Laboratory:* Garrett & Associates, Inc. (NIST).

Address: 2720 Stemmons Freeway, Suite 805-S, Dallas, TX 75207, Contact: Gerald Garrett, Phone: (214) 688-4457.

(30) *Laboratory:* Geo-Environmental Services, Inc. (NIST), Austin Office.

Address: 7801 North Lamar, Suite 185E, Austin, TX 78752, Contact: John Johnson, Phone: (512) 454-5222.

(31) *Laboratory:* Gerald Garrett & Associates, Inc. (NIST).

Address: 4020 Sames, Waco, TX 76705, Contact: Craig Farmer, Phone: (817) 876-6280.

(32) *Laboratory:* Hanby Analytical Laboratories, Inc. (NIST).

Address: 4400 South Wayside 107, Houston, TX 77087, Contact: Duane Salinas, Phone: (713) 649-4500.

(33) *Laboratory:* Hanby Analytical Laboratories, Inc./ Mobile Unit (NIST).

Address: 4400 South Wayside St., Suite 107, Houston, TX 77087, Contact: John D. Hanby, Phone: (713) 649-4500.

(34) *Laboratory:* Huey, Martin, & Associates (NIST).

Address: 5613 Bruyninckx Rd., Alexandria, LA 71303, Contact: Ben F. Martin, Phone: (318) 473-6446.

(35) *Laboratory:* IHST (NIST).

Address: 17480 Dallas Pkwy., Suite 111, Dallas, TX 75287, Contact: Tracy Bramlett, Phone: (214) 248-9110.

(36) *Laboratory:* Kemron Environmental Services (NIST).

Address: 16550 Highland Rd., Baton Rouge, LA 70810, Contact: Thomas Bauckham, Phone: (504) 293-8650.

(37) *Laboratory:* Kiser Engineering, Inc. (NIST).

Address: 211 North River St., Seguin, TX 78155, Contact: Rick Kirkpatrick, Phone: (800) 426-2102.

(38) *Laboratory:* Law Engineering Testing Co. (NIST).

Address: 5500 Guhn Rd., Houston, TX 77040, Contact: C. H. Byrd, Phone: (713) 939-7161.

(39) *Laboratory:* Marshall Environmental Management (NIST).

Address: 3801 Northwest 63rd St., Suite 162, Oklahoma City, OK 73116, Contact: Charles L. Marshall, Phone: (405) 842-3415.

(40) *Laboratory:* Maxim Engineers, Inc. (NIST).

Address: 11601 North Lamar, Austin, TX 78753, Contact: Fernando Yopez, Phone: (512) 837-8851.

(41) *Laboratory:* Maxim Engineers, Inc. (NIST).

Address: 2342 Fabens, P.O. Box 59902, Dallas, TX 75229, Contact: Steve Moody, Phone: (214) 247-7575.

(42) *Laboratory:* McClelland Management Services (NIST).

Address: 6100 Hillcroft, Suite 220, Houston, TX 77081, Contact: Jaye R. Stanley, Phone: (713) 995-9000.

(43) *Laboratory:* Microanalysis Laboratory, Inc. (NIST).

Address: 8499 Greenville Ave., Suite 201, Dallas, TX 75231, Contact: Carolyn Jones, Phone: (214) 340-0890.

(44) *Laboratory:* NUS Corporation (NIST).

Address: 900 Gemini, Houston, TX 77058, Contact: John W. McCormick, Phone: (713) 488-1810.

(45) *Laboratory:* National Asbestos Consultants Inc. (NIST).

Address: 4619 North Santa Fe, Oklahoma City, OK 73118, Contact: Jerry Bowerman, Phone: (405) 528-6224.

(46) *Laboratory:* New Mexico State University (NIST), Electron Microscope Laboratory.

Address: Box 3EML, Las Cruces, NM 88003, Contact: Joseph LaPointe, Phone: (505) 646-3734.

(47) *Laboratory:* North American Analytical Labs (NIST).

Address: 4405 Crawford St., P.O. Box 6865, Abilene, TX 79605, Contact: Gene Walker, Phone: (915) 691-0172.

(48) *Laboratory:* Occupational Hygiene, (NIST).

Address: P.O. Box 181769, Dallas, TX 75218, Contact: Virginia Wheeler, Phone: (214) 324-3813.

(49) *Laboratory:* Occupational Safety & Health Consultants, Inc. (NIST).

Address: 208 North Armstrong, Bixby, OK 74008, Contact: Jeffrey Jenkins, Phone: (918) 366-4834.

(50) *Laboratory:* Oklahoma State Department of Health, Special Hazard Division (NIST).

Address: P.O. Box 53551, Oklahoma City, OK 73152, Contact: John M. Feero, Phone: (405) 271-5221.

(51) *Laboratory:* P.E.I. Microanalysis Laboratory D/FW (NIST).

Address: P.O. Box 612383 (Trailer No. 12), D/FW Airport, TX 75261, Contact: Neal Sizemore, Phone: (214) 574-1700.

(52) *Laboratory:* Phillips 66 Company (NIST), Borger Refinery & NGL Process Center Lab.

Address: Box 271, Borger, TX 79008, Contact: D. Taylor, Phone: (806) 273-2831.

(53) *Laboratory:* Precision Testing Labs, Inc. (NIST).

Address: 624 Northwest 5th St., Suite 2, Moore, OK 73160, Contact: Jerry Doyle, Phone: (405) 793-1468.

(54) *Laboratory:* ProTechnics Environmental Services, Inc. (NIST).

Address: 14760 Memorial Dr., 105, Houston, TX 77079, Contact: Steve Barham, Phone: (713) 496-9914.

(55) *Laboratory:* Raba-Kistner Consultants, Inc. (NIST).

Address: P.O. Box 690287, San Antonio, TX 78269-0287, Contact: Frank B. Schweitzer, Phone: (512) 699-9090.

(56) *Laboratory:* Regional Testing Lab, Inc. (NIST).

Address: 3231 Woodlawn, Suite 204, Denison, TX 75020, Contact: Cliff Wood, Phone: (214) 463-6666.

(57) *Laboratory:* Southwestern Laboratories, Inc. (NIST).

Address: 2575 Lone Star Dr., Dallas, TX 75212, Contact: Lawrence M. Thompson, Phone: (214) 631-2700.

(58) *Laboratory:* Southwestern Laboratories, Inc. (NIST).

Address: 222 Cavalcade, Houston, TX 77009, Contact: Russell DiRaimo, Phone: (713) 692-9151.

(59) *Laboratory:* Southwestern Public Service Co. (NIST), Systems Laboratory.

Address: P.O. Box 1261, Amarillo, TX 79170, Contact: Dean Metcalf, Phone: (806) 381-6360.

(60) *Laboratory:* Standard Testing & Eng. Co. (NIST).

Address: 660 Distributors Row, Harahan, LA 70123, Contact: Robert E. Jones, Phone: (504) 734-8378.

(61) *Laboratory:* Standard Testing and Engineering Co. (NIST).

Address: 3400 North Lincoln Blvd., Oklahoma City, OK 73105, Contact: Cheri Marcham, Phone: (405) 528-0541.

(62) *Laboratory:* Stanley Engineering Inc. & Alpha Analytical Labs, Inc. (NIST).

Address: 2700 Northwest 39th St., Oklahoma City, OK 73112, Contact: Keith L. Stanley, Phone: (405) 948-6505.

(63) *Laboratory:* Stanley Engineering, Inc. (NIST).

Address: 4137 South Harvard, Suite E, Tulsa, OK 74135, Contact: Allison Myers, Phone: (918) 747-2929.

(64) *Laboratory:* Stiers Electron Microscopy, Inc. and Southwest Environmental Management, Inc. (NIST).

Address: 3035 NW. 63rd St. Suite 150, Oklahoma City, OK 73116, Contact: David Stiers, Phone: (405) 842-2707.

(65) *Laboratory:* Sun City Analytical (NIST).

Address: 6028 Surety Dr., Suite 204A, El Paso, TX 79905, Contact: David Felix, Phone: (915) 772-7850.

(66) *Laboratory:* Sunbelt Associates, Inc. (NIST).

Address: 6961 Mayo Rd., New Orleans, LA 70126, Contact: Gary C. Allen, Phone: (504) 286-6798.

(67) *Laboratory:* TechCon, Inc. (NIST).

Address: 6709 Parkside Court, Arlington, TX 76016-3610, Contact: Jeanette Sandberg, Phone: (817) 572-6336.

(68) *Laboratory:* Technology Serving People, Inc. (NIST).

Address: 5373 West Alabama, Suite 450, Houston, TX 77056, Contact: Bill Hurt, Phone: (713) 621-9067.

(69) *Laboratory:* Terra Environmental Controls, Inc. (NIST).

Address: 2909 Division St., Suite C, Metairie, LA 70002, Contact: Jason Bourgeois, Phone: (504) 885-5711.

(70) *Laboratory:* Texas Department of Health (NIST), Asbestos Abatement Branch.

Address: 1100 West 49th St., Austin, TX 78756-3199, Contact: Don Brown, Phone: (512) 458-7318.

(71) *Laboratory:* Texas Research Institute (NIST), Environmental Division.

Address: 9063 Bee Cave Rd., Austin, TX 78733, Contact: Gary Rolls, Phone: (512) 263-2101.

(72) *Laboratory:* The Hartford Steam Boiler Laboratory (NIST), Inspection & Insurance Co.

Address: 1100 North Post Oak No. 30, Suite 300, Houston, TX 77055, Contact: Diana Spence, Phone: (713) 578-7300.

(73) *Laboratory:* University of New Orleans (NIST), Asbestos Analysis Lab. Dept of Geology & Geophysics Lakefront.

Address: New Orleans, LA 70148, Contact: Gary Allen, Phone: (504) 286-6798.

(74) *Laboratory:* University of Texas, Health Center (NIST), Dept. of Cell Biology & Environmental Sciences.

Address: P.O. Box 2003, Tyler, TX 75710, Contact: Ronald Dodson, Phone: (214) 877-7554.

(75) *Laboratory:* Waldemar S. Nelson & Co., Inc. (NIST).

Address: 1200 St. Charles Ave., New Orleans, LA 70130, Contact: Laura E. Yager, Phone: (504) 523-5281.

(76) *Laboratory:* West-Paine Laboratories, Inc. (NIST).

Address: 7979 G.S.R.I. Ave., Baton Rouge, LA 70820, Contact: Jonny H. Vickers, Phone: (504) 769-4900.

REGION VII -- Kansas City, KS

Regional Asbestos Coordinator: Wolfgang Brandner, EPA, Region VII, (ARTX), 726 Minnesota Ave., Kansas

City, KS 66101. (913) 551-7381, (FTS) 551-7381.

(1) *Laboratory*: ACM Labs, Inc. (NIST).

Address: 900 South 2nd St., P.O. Box 2073, Fairfield, IA 52556, Contact: David Fleshman, Phone: (515) 472-7402.

(2) *Laboratory*: ALERT Analytical Laboratories (NIST).

Address: 1900 West 47th Pl., No. 101, Westwood, KS 66205, Contact: William Garies, Phone: (913) 831-4516.

(3) *Laboratory*: Ames Environmental (NIST).

Address: 3910 Lincoln Way, Ames, IA 50010, Contact: David Fairchild, Phone: (515) 292-3400.

(4) *Laboratory*: Asbestos Consulting & Testing (NIST).

Address: 14953 West 101st. Ter., Lenexa, KS 66215, Contact: Jim A. Pickel, Phone: (913) 492-1337.

(5) *Laboratory*: Baird Scientific (NIST).

Address: P.O. Box 842, Carthage, MO 64836, Contact: Gary Baird, Phone: (417) 358-5567.

(6) *Laboratory*: CHART Services, Ltd. (NIST).

Address: 4725 Merle Hay Rd., Suite 214, Des Moines, IA 50322, Contact: Mary A. Finn, Phone: (515) 276-3642.

(7) *Laboratory*: CHART Services, Ltd. (NIST).

Address: 12616 West 62nd Ter., Suite 118, P.O. Box 18, Shawnee, KS 66216, Contact: Bernie Hemlick, Phone: (913) 268-0715.

(8) *Laboratory*: CHART Services, Ltd. (NIST).

Address: 7912 Davenport St., Omaha, NE 68114, Contact: Carmen Riegel, Phone: (402) 393-0155.

(9) *Laboratory*: Certified Environmental Management, Inc. (NIST).

Address: P.O. Box 504, Salina, KS 67402-0504, Contact: Brenda A. Tolson, Phone: (913) 536-4226.

(10) *Laboratory*: Hall-Kimbrell Environmental Services, Inc. (NIST).

Address: 4840 West 15th St., Lawrence, KS 66046, Contact: Robert Kleopfer, Phone: (913) 865-9304.

(11) *Laboratory*: Industrial Testing Laboratories, Inc. (NIST).

Address: 2350 7th Blvd., St. Louis, MO 63104, Contact: William J. Lowry, Phone: (314) 771-7111.

(12) *Laboratory*: Kansas Dept. of Health & Environment (NIST), Toxicology Section, Div. of Labs and Res.

Address: Bldg. 740, Forbes Field, Topeka, KS 66620, Contact: Roger Carlson, Phone: (913) 296-1620.

(13) *Laboratory*: Larron Laboratory (NIST).

Address: 529 Broadway, Cape Girardeau, MO 63701, Contact: David Roth, Phone: (314) 334-8910.

(14) *Laboratory*: META.

Address: 901 Kentucky St., P.O. Box 786, Lawrence, KS 66044, Contact: Kevin Malott, Phone: (913) 842-6382.

(15) *Laboratory*: Microscopic Analysis, Inc. (NIST).

Address: 989 Gardenvue Office Pkwy., St. Louis, MO 63141, Contact: Douglas N. Nimmo, Phone: (314) 993-2212.

(16) *Laboratory*: Midwestern Testing Labs, Inc. (NIST).

Address: P.O. Box 1657, Fairfield, IA 52556, Contact: Dennis Greenley, Phone: (515) 472-1881.

(17) *Laboratory*: Nebraska Dept. of Health Labs (NIST).

Address: 3701 S. 14th St., Lincoln, NE 68502, Contact: John Blosser, Phone: (402) 471-2122.

(18) *Laboratory*: Net Midwest Inc (NIST), Cedar Falls Division.

Address: 704 Enterprise Dr., Cedar Falls, IA 50613, Contact: Michael McGee, Phone: (319) 277-2401.

(19) *Laboratory*: Rainbow Environmental, Inc. (NIST).

Address: 9903 Pflumm Rd, Lenexa, KS 66215, Contact: Vern Simmons, Phone: (913) 894-1616.

(20) *Laboratory*: Ramsey-Schilling Consulting Group, Inc. (NIST).

Address: 503 Main St., Belton, MO 64012, Contact: George S. McDowell, Phone: (816) 331-0002.

(21) *Laboratory*: St. Louis County Health Department (NIST).

Address: 111 South Meramac, Clayton, MO 63105, Contact: Jacqueline Dohn, Phone: (314) 854-6830.

(22) *Laboratory*: The University of Iowa (NIST), University Hygienic Laboratory.

Address: Iowa City, IA 52242, Contact: L. A. Schwabbauer, Phone: (319) 335-4500.

(23) *Laboratory*: University of Missouri - Kansas City (NIST).

Address: Chemistry Dept., Kansas City, MO 64110, Contact: Dr. Peter F. Lott, Phone: (816) 276-2289.

(24) *Laboratory*: Veterans Administration (NIST).

Address: 11124 South Towne Square, 10BA5, St. Louis, MO 63123, Contact: Vince Hacer, Phone: (314) 892-7227.

REGION VIII -- Denver, CO

Regional Asbestos Coordinator: David Combs, (8AT-TS), EPA, Region VIII, 1 Denver Place, 999-18th St., Suite 500, Denver, CO 80202-2413. (303) 293-1442, (FTS) 330-1442.

(1) *Laboratory*: ARC Labs (NIST).

Address: 216 Denver Ave., Suite G&I, Grand Forks, ND 58220, Contact: Joe Worman, Phone: (701) 772-6496.

(2) *Laboratory*: ATC Environmental, Inc. (NIST).

Address: 2600 W. 29th Ave., Denver, CO 80211, Contact: Dan Benecke, Phone: (303) 480-0209.

(3) *Laboratory*: ATC Environmental, Inc. (NIST).

Address: 1515 East Tenth St., Sioux Falls, SD 57103, Contact: Donald Beck, Phone: (605) 338-0555.

(4) *Laboratory*: ATEC Associates, Inc. (NIST).

Address: 7000 E. 47th Ave., Suite 900, Denver, CO 80216, Contact: Mark Komori, Phone: (303) 377-2832.

(5) *Laboratory*: Amoco Oil Company Mandan Refinery (NIST).

Address: Mandan Avenue & Old Red Trail, Mandan, ND 58554, Contact: Jennifer Romsaas, Phone: (701) 667-2463.

(6) *Laboratory*: Analytica Solutions, Inc. (NIST).

Address: 18000 W. Hwy. 72, Golden, CO 80403, Contact: Clare Marshall, Phone: (303) 420-4449.

(7) *Laboratory*: Bison Engineering/Research (NIST).

Address: P.O. Box 1703, Helena, MT 59624, Contact: Patricia E. Groll, Phone: (406) 442-5768.

(8) *Laboratory*: Chen-Northern, Inc. (NIST).

Address: 600 South 25th St., Billings, MT 59107, Contact: Kathleen Smit, Phone: (406) 248-9161.

(9) *Laboratory*: Colorado State University, Department of Environmental Health (NIST).

Address: B120 Microbiology Bldg., Fort Collins, CO 80523, Contact: Roy C. Warbington, Phone: (303) 491-6729.

(10) *Laboratory*: DCM Science Laboratory (NIST).

Address: 200 Union Blvd., Suite 118, Lakewood, CO 80228, Contact: Donna C. Mefford, Phone: (303) 985-1155.

(11) *Laboratory*: Datachem, Inc. (NIST).

Address: 960 West LeVoy Dr. Salt Lake City, UT 84123, Contact: Lance Eggenberger, Phone: (801) 266-7700.

(12) *Laboratory*: Dixon Information, Inc. (NIST).

Address: 78 West 2400 S., Salt Lake City, UT 84115, Contact: Willard C. Dixon, Phone: (801) 486-0800.

(13) *Laboratory*: Esstek, Inc. (NIST).

Address: 11435 West 48th Ave., Wheat Ridge, CO 80033-2101, Contact: Robert Cordova, Phone: (303) 425-7038.

(14) *Laboratory*: Federal Employee Occupational Health, Region VIII - Asbestos Reference Labs.

Address: P.O. Box 25145, Denver Federal Center, Bldg. 40, Denver, CO 80225, Contact: Douglas Pickup, Phone: (303) 236-0076.

(15) *Laboratory*: HTI Laboratories & Industrial Consultants (NIST) No. 1.

Address: 1806 Main Ave., Fargo, ND 58103, Contact: Constance S. Hodny, Phone: (701) 232-1399.

(16) *Laboratory*: HTI Laboratories & Industrial Consultants, Inc. (NIST).

Address: 6436 South Racine Cir., Engelwood, CO 80111, Contact: Constance S. Hodny, Phone: (303) 792-2125.

(17) *Laboratory*: HTI Laboratories & Industrial Consultants, Inc. (NIST) No. 2.

Address: 1806 Main Ave., Fargo, ND 58103, Contact: Constance Hodny, Phone: (701) 232-1399.

(18) *Laboratory*: Hager Laboratories, Inc. (NIST).

Address: 11234 East Caley Ave., Englewood, CO 80111, Contact: John Molina, Phone: (303) 790-2727.

(19) *Laboratory*: Occupational Health Technologies, Inc. (NIST).

Address: 2802 Janitell Rd., Suite A, Colorado Springs, CO 80906, Contact: Thomas F. Antonson, Phone: (719) 540-8511.

(20) *Laboratory*: Professional Service Ind., Inc. (NIST), Pittsburgh Lab. Div.

Address: 2955 Southwest Temple St., Salt Lake City, UT 84115, Contact: Herb Ritzman, Phone: (801) 484-8827.

(21) *Laboratory*: Survey, Management & Design (NIST).

Address: P.O. Box 8021, Fargo, ND 58109, Contact: Miles Schacher, Phone: (701) 234-9556.

REGION IX -- San Francisco, CA

Regional Asbestos Coordinator: Jo Ann Semones, (A-4-4), EPA, Region IX, 1235 Mission St., San Francisco, CA 94103. (415) 556-5406, (FTS) 556-5406.

(1) *Laboratory*: ACCULAB Environmental Services (NIST).

Address: 3700 Lakeville Hwy., Petaluma, CA 94952, Contact: Olivia Alejandro, Phone: (707) 778-4160.

(2) *Laboratory*: ASBESTECH (NIST).

Address: 6801 Fair Oaks Blvd., Suite H, Carmichael, CA 95608, Contact: Tommy G. Conlon, Phone: (916) 481-8902.

(3) *Laboratory*: Allied Enviro Engineering (NIST).

Address: 13363 Saticoy St., No. 204, North Hollywood, CA 91605, Contact: Dan Flaherty, Phone: (818) 503-0471.

(4) *Laboratory*: Analytical Research Laboratories, Inc. (NIST).

Address: 160 Taylor St., P.O. Box 2360, Monrovia, CA 91016, Contact: Michelle Miller, Phone: (818) 357-3247.

(5) *Laboratory*: Applied Petrography, Inc. (NIST).

Address: 8520 Sorenson Ave., Suite E, Santa Fe Springs, CA 90670, Contact: Joanna Deane, Phone: (213) 945-3468.

(6) *Laboratory*: Arizona Dept. of Health Services.

Address: 1520 W. Adams St., Phoenix, AZ 85007, Contact: Thomas Davis, Phone: (602) 542-1188.

(7) *Laboratory*: Asbestos Detection Co., Inc. (NIST).

Address: 12755 Brookhurst St., Suite 206, Garden Grove, CA 92640, Contact: Richard L. Frauenberger, Phone: (714) 530-1922.

(8) *Laboratory*: Asbestos Management Services, Inc. (NIST).

Address: 14829 Proctor Ave., Industry, CA 91746, Contact: Joseph Johnson, Phone: (818) 961-4303.

(9) *Laboratory*: BSE Labs, Inc. (NIST).

Address: 82 W. Sierra Madre Blvd., Sierra Madre, CA 91024, Contact: Gustavo Delgado, Phone: (818) 355-4711.

(10) *Laboratory*: BioScreen Testing Services, Inc. (NIST).

Address: 4101 Redwood Ave., Los Angeles, CA 90066, Contact: Bradford Rope, Phone: (213) 827-0011.

(11) *Laboratory*: California Water Labs (NIST).

Address: 1430 Carpenter Ln., Modesto, CA 95352, Contact: Gloria Poling, Phone: (209) 527-4050.

(12) *Laboratory*: Cam Lab (NIST).

Address: 9525 Slauson Ave., Pico Rivera, CA 90660, Contact: Michael R. Tiffany, Phone: (213) 942-8668.

(13) *Laboratory*: Certified Engineering & Testing Co., Inc. (NIST).

Address: 725 Greenwich St., No. 204, San Francisco, CA 94133, Contact: Cabe Silverhame, Phone: (415) 986-6872.

(14) *Laboratory*: Certified Testing Laboratories, Inc. (NIST).

Address: 24404 S. Vermont Ave., No. 307, Harbor City, CA 90710, Contact: Stuart Salot, Phone: (213) 530-5006.

(15) *Laboratory*: Clark Geological Services (NIST).

Address: 3479 Edison Way, Fremont, CA 94538, Contact: Joyce Lucas-Clark, Phone: (415) 659-1784.

(16) *Laboratory*: Clayton Environmental Consultants, Inc. (NIST).

Address: 1252 Quarry Ln., Pleasanton, CA 94566, Contact: Ron Peters, Phone: (415) 426-2600.

(17) *Laboratory*: Concord Analysis, Inc. (NIST).

Address: 9960 Canoga Ave., Suite D-8, Chatsworth, CA 91311, Contact: Johanna Farr, Phone: (818) 407-0128.

(18) *Laboratory*: Control Labs, Inc./Toxscan, Inc. (NIST).

Address: 42 Hangar Way, Watsonville, CA 95076, Contact: Philip Carpenter, Phone: (408) 724-4522.

(19) *Laboratory*: Dan Napier & Associates (NIST).

Address: 15342 Hawthorne Blvd., Suite 207, P.O. Box 1540, Lawndale, CA 90260, Contact: Dan Napier, Phone: (213) 644-1928.

(20) *Laboratory*: Design for Health, Inc. (NIST).

Address: 1516 West Redwood, Suite 104, San Diego, CA 92101, Contact: Steven Heindl, Phone: (619) 291-1777.

(21) *Laboratory*: Dyer Laboratories, Inc. (NIST).

Address: 2531 West 237th St., No. 121, Torrance, CA 90505, Contact: D.L. Dyer, Phone: (213) 530-3322.

(22) *Laboratory*: E & A Env'l Service, Inc. (NIST).

Address: 15943 Clark Ave., Bellflower, CA 90706, Contact: Ebbiteanga Abili, Phone: (213) 925-5080.

(23) *Laboratory*: EMS Laboratories (NIST).

Address: 507 Mission St., South Pasadena, CA 91030, Contact: Bernadine M. Kolk, Phone: (818) 441-2393.

(24) *Laboratory*: EnvironMETeo Services, Inc. (EMET) (NIST).

Address: 94-463 Ukee St., Suite A, Waipahu, HI 96797, Contact: Clifford How, Phone: (808) 671-8383.

(25) *Laboratory*: Environmental Health Services (NIST).

Address: P.O. Box 85261, San Diego, CA 92138, Contact: Larry Marshall, Phone: (619) 236-4717.

(26) *Laboratory*: Environmental Innovations Corp. (NIST).

Address: 675 Hegenberger Rd., Suite 110, Oakland, CA 94621, Contact: Kip Fout, Phone: (415) 632-0104.

(27) *Laboratory*: Esstek (NIST).

- Address: 3045 Teagarden St., San Lenadro, CA 94577, Contact: Bob Cordova, Phone: (303) 425-0013.
(28) *Laboratory*: Esstek, Inc. (NIST).
Address: 9041-17 Dice Rd., Santa Fe Springs, CA 90670, Contact: Robert Cordova, Phone: (303) 425-0013.
(29) *Laboratory*: Eureka Laboratories, Inc. (NIST).
Address: 3401 La Grande Blvd., Sacramento, CA 95823, Contact: Steven K. Leung, Phone: (916) 381-7953.
(30) *Laboratory*: Fiberquant, Inc. (NIST).
Address: 4824-B South 35th St., Phoenix, AZ 85040, Contact: Larry Pierce, Phone: (602) 276-6138.
(31) *Laboratory*: Forensic Analytical Specialities, Inc. (NIST).
Address: 3777 Depot Rd., Suite 406, Hayward, CA 94545, Contact: Stephen A. Shaffer, Phone: (415) 887-8828.
(32) *Laboratory*: Gemeni Petrographic Investigations (NIST).
Address: P.O. Box 2127, Novato, CA 94948, Contact: Peter A. Almendinger, Phone: (415) 892-9016.
(33) *Laboratory*: HECO Safety Division (NIST), Industrial Hygiene Section.
Address: 820 Ward Ave., Honolulu, HI 96813, Contact: Joana Teba, Phone: (808) 548-7386.
(34) *Laboratory*: Hall-Kimbrell Environmental Services (NIST).
Address: 646 South Brea Canyon Rd., Walnut, CA 91789, Contact: David Reusswig, Phone: (714) 594-3232.
(35) *Laboratory*: Hall-Kimbrell Environmental Services (NIST).
Address: 2615 South King St., Suite 2A, Honolulu, HI 96826, Contact: S. Gil Cobb, Phone: (808) 943-0254.
(36) *Laboratory*: Hanlon Laboratories (NIST).
Address: 8801 Folsom Blvd., Suite 145, Sacramento, CA 95826, Contact: Victoria Nabavi, Phone: (916) 386-2153.
(37) *Laboratory*: Health Sciences Associates (NIST).
Address: 10771 Noel St., Los Alamitos, CA 90720, Contact: Kathy S. Jones, Phone: (714) 220-3922.
(38) *Laboratory*: IT Corporation-Cerritos (NIST).
Address: 17605 Fabrica Way, Cerritos, CA 90701, Contact: Mary Hammons, Phone: (213) 921-9831.
(39) *Laboratory*: Industrial Analytical Lab, Inc. (NIST).
Address: 3615 Harding Ave., Honolulu, HI 96816, Contact: Fred Hertlein, III, Phone: (808) 735-0422.
(40) *Laboratory*: J.M. Cohen, Inc. (NIST).
Address: 155 Bovet Rd., Suite 300, San Mateo, CA 94402, Contact: Joel Cohen, Phone: (415) 349-9737.
(41) *Laboratory*: Kelco Asbestos Analytical Services (NIST).
Address: 44814 Osgood Rd., Fremont, CA 94539, Contact: Patricia Brown, Phone: (415) 659-9751.
(42) *Laboratory*: Kelco Services, Inc. (NIST).
Address: 8421 Auburn Ave., Citrus Heights, CA 95610, Contact: Duane Graves, Phone: (916) 722-7997.
(43) *Laboratory*: Kemron Environmental Services (NIST).
Address: 14340 Bolsa Chica, Suite C, Westminster, CA 92683, Contact: Humphrey Laurent, Phone: (714) 373-1194.
(44) *Laboratory*: Law Engineering, Inc. (NIST).
Address: 4634 S. 36th Place, Phoenix, AZ 85040, Contact: Peter Flening, Phone: (602) 437-0250.
(45) *Laboratory*: McClara Laboratory (NIST).
Address: 3560 Business Dr., Sacramento, CA 95820, Contact: Michael McClara, Phone: (916) 451-7244.
(46) *Laboratory*: McCrone Environmental Services, Inc. (NIST).
Address: 1675 Scenic Ave., Suite 100, Costa Mesa, CA 92626, Contact: William Millar, Phone: (714) 434-7017.
(47) *Laboratory*: Med-Tox Associates, Inc. (NIST).
Address: 1229 Movera Boulevard, San Diego, CA 92110, Contact: Donald Lyons, Phone: (619) 276-8843.
(48) *Laboratory*: Micro Analytical Laboratories, Inc. (NIST).
Address: 5900 Hollis St., Suite M, Emeryville, CA 94608, Contact: Bradley Erskine, Phone: (415) 653-0824.
(49) *Laboratory*: Microanalytical Services, Inc. (NIST).
Address: 225 South Lake Ave., Suite 1100, Pasadena, CA 91101, Contact: Lily Prigge, Phone: (818) 356-7400.
(50) *Laboratory*: National Asbestos Labs, Inc. (NIST).
Address: 2235 Polvorosa Ave., Suite 220, San Leandro, CA 94577, Contact: Kevin Smith, Phone: (415) 357-9555.
(51) *Laboratory*: National Environmental Services, Inc. (NIST).
Address: 5055 East Broadway, Suite D-208, Tucson, AZ 85711, Contact: Donna Katz, Phone: (602) 790-4491.
(52) *Laboratory*: Orange County Health Care Agency (NIST).
Address: 1729 W. 17th St., Santa Clara, CA 92706, Contact: Sol Klugman, Phone: (714) 834-8439.
(53) *Laboratory*: PACE Laboratories (NIST).
Address: 11 Digital Dr., Novato, CA 94949, Contact: Keith Hunter, Phone: (415) 883-6100.
(54) *Laboratory*: Pacific Gas & Electric Co. (NIST), Dept. of Engineering Research.
Address: 3400 Crow Canyon Rd., San Ramon, CA 94583, Contact: Lansing Wong, Phone: (415) 866-5473.
(55) *Laboratory*: Particle Diagnostics, Inc. (NIST).
Address: 1274 Morena Blvd., San Diego, CA 92109, Contact: Dan Baxter, Phone: (619) 276-2200.
(56) *Laboratory*: Precision Micro-Analysis (NIST).
Address: 5685-A Power Inn Rd., Suite 102, Sacramento, CA 95824, Contact: J. Benjamin Smith, Phone: (916) 381-0694.
(57) *Laboratory*: R.J. Lee Group, Inc. (NIST).
Address: 2424 6th St., Berkeley, CA 94710, Contact: Jesse E. Fisher, Phone: (415) 486-8319.
(58) *Laboratory*: Radiation Detection Co. (NIST).
Address: 162 Wolfe Rd., P.O. Box 1414, Sunnyvale, CA 94088, Contact: Donald Shepley, Phone: (408) 735-8700.
(59) *Laboratory*: Reynolds Electrical & Engineering Co. (NIST).
Address: P.O. Box 98521, M/S 706, Las Vegas, NV 89193, Contact: Glen Clark, Phone: (702) 295-6379.
(60) *Laboratory*: Salt River Project (NIST).
Address: 600 East Curry Rd., Tempe, AZ 85281, Contact: William Powell, Phone: (602) 236-8024.
(61) *Laboratory*: Schwein/Christensen Eng., Ltd. (NIST).
Address: 3397 Mt. Diablo Blvd., Suite E, Lafayette, CA 94549, Contact: Conrad Christensen, Phone: (415) 284-3311.
(62) *Laboratory*: Sonoran Desert Labs, Inc. (NIST).
Address: 2425-A North Huachuaca Dr., Tucson, AZ 85745, Contact: Frank Mendoza, Phone: (602) 624-9366.
(63) *Laboratory*: Sonoran Desert Labs, Inc. (NIST).
Address: 2725 Congress St., Suite 2A, San Diego, CA 92110, Contact: Greg Behnfeldt, Phone: (619) 294-7200.
(64) *Laboratory*: Southwest Hazard Control, Inc. (NIST).

Address: 5400 West Massingale Rd., Tucson, AZ 85743, Contact: Gerald J. Karches, Phone: (602) 744-1060.

(65) *Laboratory*: Stan Tech (NIST).

Address: 4040 E. McDowell, Suite 412, Phoenix, AZ 85008, Contact: Tjuana White, Phone: (602) 273-6934.

(66) *Laboratory*: TEM Analytics, Inc. (NIST).

Address: 3443 East Fort Lowell, Suite 105, Tucson, AZ 85716, Contact: Sandra Bejarauno, Phone: (602) 795-7000.

(67) *Laboratory*: TMA/NORCAL Corporation (NIST).

Address: 2030 Wright Ave., Richmond, CA 94804, Contact: Rosemary Sliney, Phone: (415) 235-2633.

(68) *Laboratory*: Truesdail Laboratories, Inc. (NIST).

Address: 14201 Franklin Ave., Tustin, CA 92680, Contact: Karl Schiller, Phone: (714) 730-6239.

(69) *Laboratory*: United States Testing Co., Inc. (NIST).

Address: 3491 Kurtz St., San Diego, CA 92110, Contact: Larry Lindeen, Phone: (619) 222-0544.

(70) *Laboratory*: Unitek Environmental Consultants, Inc. (NIST).

Address: 2889 Mokumoa St., Honolulu, HI 96819, Contact: Irene Enoki, Phone: (808) 834-1444.

(71) *Laboratory*: Van Houten Consultants, Inc. (NIST).

Address: 422 Petaluma Blvd. North Suite B, Petaluma, CA 94952, Contact: Gregory P. Arnold, Phone: (707) 762-1132.

(72) *Laboratory*: Western Technologies, Inc. (NIST), Chemistry Lab.

Address: 3757 East Broadway Rd., Phoenix, AZ 85040, Contact: Steve Barnes, Phone: (602) 437-3737.

REGION X -- Seattle, WA

Regional Asbestos Coordinator: Gil Haselberger, EPA, Region X, 1200 Sixth Ave. (8T-083), Seattle, WA 98101. (206) 442-4762, (FTS) 399-1094.

(1) *Laboratory*: Alaska Quality Control, Inc. (NIST).

Address: 700 West 58th St., Units A & B, Anchorage, AK 99518-1632, Contact: John Buzdor, Phone: (907) 561-2400.

(2) *Laboratory*: Cascade Analytical Service (NIST).

Address: 3640 South Cedar St., Suite O, Tacoma, WA 98409, Contact: Juin B. J. TeVrucht, Phone: (206) 472-6909.

(3) *Laboratory*: Chem-Ray, Inc. (NIST).

Address: 12003 15th Ave., NE., No. 301, Seattle, WA 98125, Contact: Jean Ray, Phone: (206) 368-8136.

(4) *Laboratory*: Coffey Laboratories, Inc. (NIST).

Address: 4914 Northeast 122nd Ave., Portland, OR 97230, Contact: Fredrick C. Colley, Phone: (503) 254-1794.

(5) *Laboratory*: Environmental Consulting Services, Inc. (NIST).

Address: 1259 Willamette St., Eugene, OR 97401, Contact: Richard W. Carlin, Phone: (503) 345-6790.

(6) *Laboratory*: Environmental Consulting Services, Inc. (NIST).

Address: 3601 Northwest Yeon, Suite 134, Portland, OR 97210, Contact: Sheila Monroe, Phone: (503) 227-7210.

(7) *Laboratory*: Frandon Enterprises, Inc. (NIST).

Address: 511 North 48th, Seattle, WA 98103, Contact: Donald Wallace, Phone: (206) 633-2341.

(8) *Laboratory*: HAZCON, Inc. (NIST).

Address: 9500 Southwest Barbur Rd., Suite 100, Portland, OR 97219, Contact: Gerald Liddell, Phone: (503) 244-8045.

(9) *Laboratory*: HAZCON, Inc. (NIST).

Address: 5950 6th Ave. S, Suite 200, Seattle, WA 98108, Contact: Masood Hashmi, Phone: (206) 763-7364.

(10) *Laboratory*: HAZTOX, Inc. (NIST).

Address: 820 North Linder Rd., Meridian, ID 83642, Contact: Robert Woellner, Phone: (800) 548-8220.

(11) *Laboratory*: HAZTOX, Inc. (NIST).

Address: 12822 Gateway Dr., Seattle, WA 98168, Contact: Trevor Fernandes, Phone: (303) 790-0529.

(12) *Laboratory*: Hanford Environmental Health Foundation NHS, Inc. (NIST).

Address: 2950 C George Washington Way, Richland, WA 99352, Contact: Maureen Hamilton, Phone: (509) 376-6980.

(13) *Laboratory*: Hanford Environmental Health Foundation NHS, Inc. (NIST).

Address: 805 Goethals Dr., Richland, WA 99352, Contact: Maureen Hamilton, Phone: (509) 376-6980.

(14) *Laboratory*: Hunter Services, Inc. (NIST).

Address: 1205 East Int'l. Airport Rd., Suite 100, Anchorage, AK 99519, Contact: Clarence Vickaryous, Phone: (907) 561-3055.

(15) *Laboratory*: M & M Environmental, Inc. (NIST).

Address: 3902 North 34th St., Tacoma, WA 98407, Contact: Mike Reid, Phone: (206) 572-2772.

(16) *Laboratory*: Marine & Environmental Testing, Inc. (NIST).

Address: P.O. Box 5693, Portland, OR 97228-5693, Contact: Martin H. Finkel, Phone: (503) 282-6920.

(17) *Laboratory*: Med-Tox Associates, Inc. (NIST).

Address: 19730 64th Ave., Suite 205, Lynnwood, WA 98036, Contact: Lisa Burkard, Phone: (206) 672-2422.

(18) *Laboratory*: Microlab Northwest (NIST).

Address: 7609 140th Pl., NE, Redmond, WA 98052, Contact: Russel Crutcher, Phone: (206) 885-9419.

(19) *Laboratory*: Northwest Asbestos Consultants (NIST).

Address: 1005 Northwest Galveston, Suite E, Bend, OR 97701, Contact: Dale A. Schmidt, Phone: (503) 389-9727.

(20) *Laboratory*: Northwest Envirocon, Inc. (NIST).

Address: 3415 Truman St., Washougal, WA 98671, Contact: David Coward, Phone: (206) 835-9063.

(21) *Laboratory*: Oregon Analytical Laboratory (NIST).

Address: 14655 Southwest Old Scholls Ferry Rd., Beaverton, OR 97007, Contact: Howard Boorse, Phone: (503) 644-5300.

(22) *Laboratory*: Prezant Associates, Inc. (NIST).

Address: 711 6th Ave., North, Suite 200, Seattle, WA 98109, Contact: Heather Meeds, Phone: (206) 281-8858.

(23) *Laboratory*: Professional Service Ind., Inc. (NIST).

Address: 12812 Northeast Marx, Portland, OR 97230, Contact: Judy Grant, Phone: (503) 232-2183.

(24) *Laboratory*: Westinghouse Northwest Environmental Center (NIST).

Address: Kenai Peninsula Borough Maintenance, 47140 Poppy Ln., Soldotna, AK 99689, Contact: Larry Lockard, Phone: (907) 262-4011.

(25) *Laboratory*: Westinghouse Northwest Environmental Center (NIST).

Address: 1234 Columbia Dr., SE, Richland, WA 99352, Contact: Carlton Allen, Phone: (509) 735-3211.

(26) *Laboratory*: Weyerhaeuser Company (NIST), Safety & Health Service Laboratory.

Address: 32901 32nd Drive, South, Federal Way, WA 98003, Contact: Christopher Kirk, Phone: (206) 924-6639.

Non-Domestic PLM Laboratories

(1) *Laboratory*: Pinchin & Associates, Ltd. (NIST).

Address: Two Robert Speck Pkwy., Suite 290, Mississauga, Ontario, Contact: Suzanne Ruginis, Phone: (416) 279-1629.

(2) *Laboratory*: Pinchin Harris Holland Associates, Ltd. (NIST).

Address: No. 200-1285 West Pender St., Vancouver, BC, V6E 4B1, Canada, Contact: Geoffrey A. Clark, Phone: (604) 669-5979.

(3) *Laboratory*: Chatfield Technical Consulting, Ltd. (NIST).

Address: 2071 Dickson Rd., Mississauga, Ontario, Canada L5B 1YB, Contact: Eric Chatfield, Phone: (416) 896-7611.

(4) *Laboratory*: McMaster Laboratory (NIST), Occupational Health Laboratory.

Address: 1200 Main St., W., Hamilton, Ontario, Canada L8N 3Z5, Contact: Dave K. Verma, Phone: (416) 525-9140.

EPA Accredited Non-Commercial PLM Laboratories

REGION I -- Boston, MA

Regional Asbestos Coordinator: Joe DeCola, EPA, Region I, Air and Management Division (APT-2311), JFK Federal Building, Boston, MA 02203. (617) 565-3835, (FTS) 835-3835.

(1) *Laboratory*: Olin Corp. (NIST), Environmental Hygiene Laboratory.

Address: 91 Shelton Ave., P.O. Box 30-9643, New Haven, CT 06511, Contact: James P. Dawson, Phone: (203) 781-5613.

(2) *Laboratory*: State of Maine, Department of Human Services (NIST), Public Health Laboratory.

Address: 221 State St., Augusta, ME 04333, Contact: John Krueger, Phone: (207) 289-2727.

REGION II -- Edison, NJ

Regional Asbestos Coordinator: Albert Kramer, EPA, Region II, 2890 Woodbridge Ave., Raritan Depot, Bldg. 5, (MS-500), Edison, NJ 08837. (201) 321-6793, (FTS) 340-6793.

(1) *Laboratory*: City of New York, Dept. of Gen. Svc. Lab, Division of Municipal Supplies (NIST).

Address: 480 Canal St., New York, NY 10013, Contact: A.D. Pacifico, Phone: (212) 925-5326.

(2) *Laboratory*: Hess Oil Virgin Islands Corp. (NIST).

Address: P.O. Box 127, Kingshill, St. Croix, VI 00850, Contact: John L. Edgley, Phone: (809) 778-4314.

(3) *Laboratory*: Nassau County Dept. of Health (NIST), Division of Laboratories & Research.

Address: 209 Main St., Hempstead, NY 11550, Contact: Robert Porter, Phone: (516) 483-9158.

REGION III -- Philadelphia, PA

Regional Asbestos Coordinator: Carole Dougherty, EPA, Region III (3AM-32), 801 Arch St., Philadelphia, PA 19107. (215) 597-3160, (FTS) 597-3160.

(1) *Laboratory*: Aluminum Company of America, Environmental Health Laboratory (NIST).

Address: ALCOA Technical Center, ALCOA Center, PA 15069, Contact: R. Danchik, Phone: (412) 337-2154.

(2) *Laboratory*: Maryland Dept. of Health Laboratories Adm. - AQL (NIST).

Address: 201 West Preston St., Room 6D1, Baltimore, MD 21203, Contact: Delores E. Willis, Phone: (301) 225-6212.

(3) *Laboratory*: National Institute of Health (NIST), Safety Support Section.

Address: Building 13, Room 3K04, Bethesda, MD 20892, Contact: Randolph K. Larsen, Phone: (301) 496-3457.

(4) *Laboratory*: Pennsylvania Department of Environmental Resources (NIST).

Address: Bureau of Laboratories, P.O. Box 1467, 3rd & Reily St., Harrisburg, PA 17120, Contact: Vincent White, Phone: (717) 787-4669.

REGION IV -- Atlanta, GA

Regional Asbestos Coordinator: Liz Wilde, EPA, Region IV, 345 Courtland St., NE, Atlanta, GA 30365. (404) 347-5014, (FTS) 257-5014.

(1) *Laboratory*: E.I. DuPont DeNemours & Co., Cape Fear Plant (NIST).

Address: P.O. Box 2042, Wilmington, NC 28402, Contact: W.M. Tedder, Phone: (919) 371-4257.

(2) *Laboratory*: EG&G Florida (NIST), Occupational Medicine & Environmental Health Services.

Address: P.O. Box 21296, BOC-022, Kennedy Space Center, FL 32815, Contact: Patricia L. Colomore, Phone: (407) 867-3829.

(3) *Laboratory*: GTRI Microscopy Research Lab (NIST).

Address: 151 Sixth St., O'Keefe Bldg., Atlanta, GA 30057, Contact: James Smith, Phone: (404) 894-3806.

(4) *Laboratory*: TN Dept. of Health & Environment (NIST).

Address: 1522 Cherokee Trail, P.O. Box 59019, Knoxville, TN 37950, Contact: Edward McCrary, Phone: (615) 546-9221.

(5) *Laboratory*: TN Dept. of Public Health (NIST), Jackson Branch Lab.

Address: 295 Summar Dr., Jackson, TN 38302-0849, Contact: John Hitz, Phone: (901) 424-9200.

REGION V -- Chicago, IL

Regional Asbestos Coordinator: Anthony Restaino, EPA, Region V, 230 S. Dearborn St., [5-SPT-7], Chicago, IL 60604. (312) 886-6003, (FTS) 886-6003.

(1) *Laboratory*: Commonwealth Edison/SMAD (NIST).

Address: 1319 South First Ave., Maywood, IL 60153, Contact: Bernard Piechalak, Phone: (312) 450-5435.

(2) *Laboratory*: NIOSH (NIST).

Address: 4676 Columbia Pkwy., MS R-2, Cincinnati, OH 45226, Contact: Phil Bierkaum, Phone: (513) 841-4321.

(3) *Laboratory*: State of Illinois Department of Public Health (NIST), Toxicology Laboratory.

Address: 2121 West Taylor St., Chicago, IL 60612-4285, Contact: Dietmar Grohlich, Phone: (312) 693-4766.

(4) *Laboratory*: West Allis Memorial Hospital (NIST), Industrial Toxicology Laboratory.

Address: 8901 West Lincoln Ave., West Allis, WI 53227, Contact: Leon A. Saryan, Phone: (414) 546-6313.

REGION VI -- Dallas, TX

Regional Asbestos Coordinator: John West, 6T-PT, EPA, Region VI, 1445 Ross Avenue, Dallas, TX 75202-2733. (214) 655-7244, (FTS) 255-7244.

(1) *Laboratory*: Duncan Public Schools (NIST).

Address: 1706 Spruce, P.O. Box 1548, Duncan, OK 73533, Contact: Ron Murray, Phone: (405) 255-4725.

(2) *Laboratory*: Jimmie Ann Bolton (NIST).

Address: 818 Walnut Creek Dr., Austin, TX 78753, Contact: Jimmie Ann Bolton, Phone: (512) 835-6892.

(3) *Laboratory*: Phillips Petroleum IH Lab (NIST).

Address: 267 Petroleum Lab, Bartlesville, OK 74004, Contact: Wanda Waugh, Phone: (918) 661-3648.

(4) *Laboratory*: Texaco Chemical Co. (NIST), Neches Plant.

Address: P.O. Box 847, Port Neches, TX 77651, Contact: Janet E. Wiiki, Phone: (409) 722-8381.

(5) *Laboratory*: U.S. Air Force (NIST).

Address: OEHL/SA, Brooks AFB, TX 78235, Contact: Edward Brown, Phone: (512) 536-3626.

REGION VIII -- Denver, CO

Regional Asbestos Coordinator: David Combs, (8AT-TS), EPA, Region VIII, 1 Denver Place, 999-18th St., Suite 500, Denver, CO 80202-2413. (303) 293-1442, (FTS) 330-1442.

(1) *Laboratory:* Natl. Enforcement Investigation (NIST).

Address: Box 22527, Denver Federal Center, Denver, CO 80225, Contact: Douglas Kendall, Phone: (303) 236-9966.

(2) *Laboratory:* Public Service Co. of Colorado (NIST).

Address: Hampden Park West, Bldg. 5H, 1500 West Hampden, Englewood, CO 80110, Contact: Richard K. Price, Phone: (303) 797-4226.

REGION IX -- San Francisco, CA

Regional Asbestos Coordinator: Jo Ann Semones, (A-4-4), EPA, Region IX, 1235 Mission St., San Francisco, CA 94103. (415) 556-5406, (FTS) 556-5406.

(1) *Laboratory:* Aerojet Solid Propulsion Co., Water Quality Control Lab. (NIST).

Address: P.O. Box 15699C, Sacramento, CA 95813, Contact: Jimmy Suarr, Phone: (916) 355-4051.

(2) *Laboratory:* Aerojet Tech Systems Company (NIST), Non-Metallics Testing Laboratory.

Address: P.O. Box 13222, Dept. 9410, Bldg. 200, Sacramento, CA 95813, Contact: Jeanne Fischer, Phone: (916) 355-3496.

(3) *Laboratory:* LA Unified School District (NIST), Employee Safety Section.

Address: 1425 South San Pedro St., Room 215, Los Angeles, CA 90015, Contact: Jeffrey Franklin, Phone: (213) 742-7371.

(4) *Laboratory:* Riverside County Health Department Laboratory (NIST).

Address: 5888 Mission Blvd., Rubidoux, CA 92509, Contact: William Redden, Phone: (714) 784-1860.

(5) *Laboratory:* SCAQMD Laboratory (NIST).

Address: 9150 Flair Dr., El Monte, CA 91731, Contact: Joan Niertit, Phone: (818) 572-6200.

(6) *Laboratory:* Timothy B. Hemming (NIST), City of LA, Dept. of Water & Power.

Address: 1630 North Main St., Bldg. 7, Box 111, Los Angeles, CA 90051-0100, Contact: Timothy B. Hemming, Phone: (213) 481-6691.

REGION X -- Seattle, WA

Regional Asbestos Coordinator: Gil Haselberger, EPA, Region X, 1200 Sixth Ave. (8T-083), Seattle, WA 98101. (206) 442-4762, (FTS) 399-1094.

(1) *Laboratory:* Puget Sound Naval Shipyard (NIST).

Address: Code 1343, Bremerton, WA 98314, Contact: C. Laubach, Supervisor, Phone: (206) 476-8900.04 Dated: May 16, 1990.

Joseph A. Carra,

Deputy Director, Office of Toxic Substances.

[FR Doc. 90-12510 Filed 5-30-90; 8:45 am]

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Thursday
May 31, 1990

Part IV

**Department of
Health and Human
Services**

Office of Community Services

**Request for Applications Under Fiscal
Year 1990 Community Food and Nutrition
Program; Notice**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Community Services

[Program Announcement No. OCS 90-2]

Request for Applications Under the Office of Community Services' Fiscal Year 1990 Community Food and Nutrition Program

AGENCY: Office of Community Services, Family Support Administration, Department of Health and Human Services.

ACTION: Request for applications under the Office of Community Services' Community Food and Nutrition Program.

SUMMARY: The Office of Community Services (OCS) announces that competing applications will be accepted for new grants pursuant to the Secretary's discretionary authority under section 618A of the Community Services Block Grant Act of 1981. This Program Announcement consists of seven parts. Part A covers information on the legislative authority and defines terms used in the Program Announcement. Part B describes the types of activities that will be considered for funding and who is eligible to apply. Part C provides details on application prerequisites such as program beneficiaries. Part D provides information on application procedures including the availability of forms, where to submit an application, criteria for initial screening of applications, and project evaluation criteria. Part E provides guidance on the content of an application package and the application itself. Part F provides instructions for completing an application. Part G details post-award requirements.

CLOSING DATE: The closing date for submission of applications is July 30, 1990.

FOR FURTHER INFORMATION CONTACT: Office of Community Services, Office of State and Project Assistance, 370 L'Enfant Promenade SW., Washington, DC 20447. You may also call (202) 252-5252. Attention: James Hearn, Chief, Community Food and Nutrition Program.

Part A—Preamble

1. Legislative Authority

The Community Services Block Grant Act as amended authorizes the Secretary of Health and Human Services to make funds available under several programs to support program activities which will result in direct benefits targeted to low-income people. This Program Announcement covers the grant authority found at section 681A,

Community Food and Nutrition, which authorizes the Secretary to make funds available for grants to be awarded on a competitive basis to eligible entities for local and statewide programs (1) To coordinate existing private and public food assistance resources, whenever such coordination is determined to be inadequate, to better serve low-income communities; (2) to assist low-income communities to identify potential sponsors of child nutrition programs to initiate new programs in underserved or unserved areas; and (3) to develop innovative approaches at the State and local levels to meet the nutrition needs of low-income people.

2. Definition of Terms

For purposes of this Program Announcement the following definitions apply:

- Displaced worker: An individual who is in the labor market but has been unemployed for six months or longer.
- Indian tribe: A tribe, band, or other organized group of Native American Indians recognized in the State in which it resides or considered by the Secretary of the Interior to be an Indian tribe or an Indian organization for any purpose.
- Innovative project: One that departs from or significantly modifies past program practices and tests a new approach.
- Migrant farmworker: An individual who works in agricultural employment of a seasonal or other temporary nature who is required to be absent from his/her place of permanent residence in order to secure such employment.
- Seasonal farmworker: Any individual employed in agricultural work of a seasonal or other temporary nature who is able to remain at his/her place of permanent residence while employed.
- Underserved area (as it pertains to child nutrition programs): A locality in which less than one-half of the low-income children eligible for assistance participate in any child nutrition program.

Part B—Purpose

All projects proposed under this program must meet the following basic criteria:

- a. They are designed and intended to provide nutrition benefits, including those which incorporate the benefits of disease prevention, to a targeted low-income group of people;
- b. They provide outreach or public education designed to inform low-income individuals and displaced workers of the services available to

them under the various Federally-assisted nutrition programs;

c. They focus on one or more of the legislatively mandated program activities: i.e.

(1) Coordination of existing private and public food assistance resources, whenever such coordination is determined to be inadequate, to better serve low-income populations;

(2) Assistance to low-income communities in identifying potential sponsors of child nutrition programs and initiating new programs in underserved or unserved areas; and

(3) Development of innovative approaches at the State and local levels to meet the nutrition needs of low-income people.

Rating preference will be accorded to applicants whose proposals build on existing outreach activity and mobilize or leverage additional resources which increase the potential impact of the program. In addition, preference will be given to projects addressing problems that can be met by one-time OCS funding or which can be continued without future Federal funding.

OCS also is interested in projects that address the needs of homeless families and welfare families in public housing.

Any proposal submitted by an applicant requesting funding for the continuation of a project for which it received OCS funds in FY 1989, or for implementation of a project similar to one for which it received OCS funds in FY 1989, will not be eligible for funding in FY 1990.

Submissions which propose the use of grant funds for the development of any printed or visual material must contain convincing evidence that these materials are not available from other sources. OCS will not provide funding for such items if justification is not sufficient. Any films of visual presentations approved for development under the grant must be submitted to the Office of Community Services for clearance by the Department of Health and Human Services prior to dissemination.

In recognition of the special needs of Indians and Migrant and Seasonal Farmworkers, a \$150,000 set-aside will be established to afford priority consideration to proposals submitted by agencies serving these populations.

Applications which are not funded within this limited set-aside will also be considered competitively within the larger pool of eligible applicants.

See part F, section 2, for special instructions on developing a work program.

Part C—Application Prerequisites**1. Eligible Applicants**

Eligible applicants are States and local public and private non-profit agencies/organizations with a demonstrated ability to successfully develop and implement programs and activities similar to those enumerated above. OCS encourages historically black colleges and universities to submit applications. In addition, applicants for the \$150,000 set-aside must be either: (1) Indian tribes, (2) private non-profit groups whose governing board is comprised of a majority of Indians and whose primary purpose is serving Indian populations, or (3) groups whose sole purpose is serving migrant and seasonal farmworker populations. Proof of non-profit status must be included in the Appendices of the Project Narrative where applicable.

2. Available Funds**a. FY 90 Funding.**

The amount of funds available for grant awards under the CFN Program in FY 90 is \$962,597.20.

b. Grants Amounts.

No individual grant request will be considered for an amount which is in excess of \$50,000 in OCS funds.

c. Mobilization of Resources

OCS would like to mobilize as many resources as possible to enhance projects funded under this program. Proposals submitted by applicants whose programs will leverage other resources, either cash or third party in-kind, will be looked upon favorably and will be eligible to receive additional points in the competitive review process.

3. Project Period

For most projects OCS will grant funds for one year. However, depending on the characteristics of any individual project and on the justification presented by the applicant in its proposal, a grant may be made for a period of up to 17 months.

4. Administrative Costs/Indirect Costs

There is no administrative cost limitation for projects funded under this program. However, applicants who do not propose to charge any administrative costs to the OCS grant will receive rating preference.

OCS accepts approved indirect cost rates as allowable costs. Applicants should enclose a copy of the current rate agreement if it was negotiated with a Federal agency other than the Department of Health and Human

Services. However, it should be understood that indirect costs are part of, and not in addition to, the amount of funds awarded in the subject grant.

5. Program Beneficiaries

Projects proposed for funding under this announcement must result in direct benefits targeted toward low income people as defined in the most recent Annual Update of Poverty Income Guidelines published by DHHS.

Attachment A to this announcement is an excerpt from the most recently published guidelines. Annual revisions of these guidelines are normally published in the *Federal Register* in February or early March of each year and are applicable to projects being implemented at the time of publication. (The *Federal Register* may be obtained from public libraries, Congressional offices, or by writing the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.) No other government agency or privately defined poverty guidelines are applicable to the determination of low income eligibility for this OCS program with the following exception:

In the case of projects proposed for funding which mobilize or improve the coordination of existing public and private food assistance resources, the guidelines governing those resources apply. However, in the case of projects providing direct assistance to beneficiaries through grants funded under this program, beneficiaries must fall within the official DHHS poverty income guidelines.

6. Number of Projects in Application

An application may contain only one project and this project must address the basic criteria found in Part B. Applications which are not in compliance with these requirements will be ineligible for funding.

7. Multiple Submittals

There is no limit to the number of applications that can be submitted as long as each application contains a proposal for a different project.

8. Sub-Contracting or Delegating Projects

OCS will not fund any project where the role of the eligible applicant is primarily to serve as a conduit for funds to other organizations.

Part D—Application Procedures**1. Availability of Forms**

Applications for awards under this OCS program must be submitted on Standard Forms (SF) 424, 424A, and 424B. Part F and attachments B, C, and

D to this Program Announcement contain all the instructions and forms required for submittal of applications. The forms may be reproduced for use in submitting applications. Copies of the *Federal Register* containing this announcement are available at most local libraries and Congressional District Offices for reproduction. If copies are not available at these sources they may be obtained by writing or telephoning the office listed in the section entitled "FOR FURTHER INFORMATION CONTACT" at the beginning of this announcement.

2. Application Submission

The date by which applications must be received is indicated under "CLOSING DATE" at the beginning of this announcement. An application will be considered to be received on time under either one of the following two circumstances:

a. Applications may be mailed to: Family Support Administration, Office of Grants Management, 6th floor OFM/DGM, 370 L'Enfant Promenade SW., Washington, DC 20447. Attn: 90-2.

b. Hand delivered applications are accepted during normal working hours of 8 a.m. to 4:30 p.m., Monday through Friday, on or prior to the established closing date at Family Support Administration, Office of Grants Management, 901 D Street SW., Sixth Floor, Washington, DC 20447. Attn: 90-2. An application will be considered to be received on time if sent on or before the closing date as evidenced by a legible U.S. Postal Service postmark or a legibly dated receipt from a commercial carrier. Private metered postmarks will not be considered acceptable as proof of timely mailing. Applications submitted by any means other than through the U.S. Postal Service or commercial carrier shall be considered as acceptable only if physically received at the above address before close of business on or before the deadline date.

Note: The U.S. Postal Service does not uniformly provide a dated post mark. Before relying on this method, applicants should check with their local post office. Late applications will be returned to the senders without consideration in the competition. Applications once submitted are considered final and no additional materials will be accepted by OCS. An application with an original signature and four copies is required.

The SF-424 must contain in the lower right hand corner one of the following designations:

FN—for general grants.

SA—for projects where migrant and seasonal farmworker organizations and Indian tribes or Indian organizations are applying

specifically for set-aside funds described in Part B.

3. Intergovernmental Review

This program is covered under Executive Order 12372, "Intergovernmental Review of Federal Program," and 45 CFR part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

All States and Territories except Alaska, Idaho, Kansas, Minnesota, Nebraska, Virginia, American Samoa and Palau have elected to participate in the Executive Order process and have established Single Points of Contact (SPOCs). Applicants from these seven jurisdictions need take no action regarding E.O. 12372. Applicants for projects to be administered by federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372. Applicants must submit any required material to the SPOCs as soon as possible to alert them of the projective applications and receive any necessary instructions, so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a.

Under 45 CFR 100.9(a)(2), a SPOC has 60 days from the application deadline date to comment on proposed new or competing continuation awards. Therefore, the comment period for State processes will end 60 days after the date of publication of this announcement to allow time for FSA to review, consider and attempt to accommodate SPOC input. SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the "accommodate or explain" rule.

When comments are submitted directly to FSA, they should be addressed to: Department of Health and Human Services, Family Support Administration, Office of Grants Management, 6th Floor, 370 L'Enfant Promenade SW., Washington, DC, 20447.

A list of the Single Points of Contact for each State and Territory is included as Attachment G of this announcement.

4. Application Consideration

Applications which meet the screening requirements in section 5 below will be reviewed competitively. Such applications will be referred to reviewers for a numerical score and explanatory comments based solely on responsiveness to program guidelines and evaluation criteria published in this announcement. Applications will be reviewed by persons outside of the OCS unit which would be directly responsible for programmatic management of the grant. The results of these reviews will assist the Director and OCS program staff in considering competing applications. Reviewers' scores will weigh heavily in funding decisions but will not be the only factors considered. Applications will generally be considered in order of the average scores assigned by reviewers. However, highly ranked applications are not guaranteed funding since the Director may also consider other factors deemed relevant including, but not limited to, comments of reviewers and government officials; staff evaluation and input; geographic distribution; previous program performance of applicants; compliance with grant terms under previous DHHS grants; audit reports; investigative reports; and applicant's progress in resolving any final audit disallowances on OCS or other Federal agency grants. OCS reserves the right to discuss applications with other Federal or non-Federal funding sources to ascertain the applicant's performance record.

5. Criteria for Screening Applications

a. Initial Screening

All applications that meet the published deadline for submission will be screened to determine completeness and conformity to the requirements of this announcement. Only those applications meeting the following requirements will be reviewed and evaluated competitively. Others will be returned to the applicants with a notation that they were unacceptable.

- (1) The application must contain a completed Standard Form (SF) 424.
- (2) The SF-424 must be signed by an official of the organization applying for the grant who has authority to obligate the organization legally.

b. Prerating Review

Applications which pass the initial screening will be forwarded to reviewers for analytical comment and scoring based on the criteria detailed in section c. below and the specific requirements contained in part B.

Prior to the programmatic review, these reviewers and/or OCS staff will verify that the applications comply with this program announcement in the following areas:

- (1) Eligibility: Applicant meets the eligibility requirements found in Part C.
- (2) Number of Projects: The application contains only one project.
- (3) Target Populations: The application clearly targets the specific outcomes and benefits of the project to low-income participants and beneficiaries as defined in the DHHS Poverty Income Guidelines (Attachment A).
- (4) Grant Amount: The amount of funds requested does not exceed \$50,000 in OCS funds.
- (5) Program Focus: The application addresses the purposes described in Part B of this announcement.
- (6) Continuation or Duplication of Projects: The applicant does not propose the continuation of a project funded by OCS in FY 1989 nor does the applicant propose undertaking a project similar to one for which it received funds in FY 1989.

An application may be disqualified from the competition and returned if it does not conform to one or more of the above requirements.

c. Evaluation Criteria

Applications which pass the initial screening and prerating review will be assessed and scored by reviewers. Each reviewer will give a numerical score for each application reviewed. These numerical scores will be supported by explanatory statements on a formal rating form describing major strengths and major weaknesses under each applicable criterion published in this announcement.

The in-depth evaluation and review process will use the following criteria coupled with the specific requirements contained in part B.

Note: The following review criteria reiterate collection of information requirements contained in part F of this announcement. These requirements are approved under OMB Control Number 0970-0062.

Criteria for Review and Evaluation of Applications Submitted Under This Program Announcement

1. *Criterion I: Analysis of Needs/Priorities* (Maximum: 15 points).
 - (a) Target area and population to be served are adequately described (0-5 points).
 - (b) Nature and extent of problem are adequately described and documented (0-10 points).
2. *Criterion II: Adequacy of Work Program* (Maximum: 20 points).

(a) Goals are appropriately related to needs and are specific and measurable (0-10 points).

(b) Activities are adequately described and appropriately related to goals (0-10 points).

3. Criterion III: Significant and Beneficial Impact (Maximum 30 points).

(a) Applicant proposes to significantly improve or increase nutrition services to low-income people and such improvements or increases are quantified. (0-8 points).

(b) Project incorporates disease prevention activities along with nutritional services (0-2 points).

(c) Project will significantly leverage or mobilize other community resources and such resources are detailed and quantified (0-10 points).

(d) Project builds on an existing outreach activity (0-5 points).

(e) Proposal addresses a problem which can be resolved by one-time OCS funding or demonstrates that non-Federal funding is available to continue the project without Federal support (0-5 points).

4. Criterion IV: Coordination (Maximum 10 points). Other appropriate organizations will be involved and to achieve an improved delivery system (0-10 points).

5. Criterion V: Ability of Applicant to Perform (Maximum 18 points).

(a) Past nutrition-related activities undertaken by applicant indicate good ability to operate proposed project (0-10 points).

(b) Quality of staff is such that applicant will be able to operate the project effectively and efficiently (0-8 points).

6. Criterion VI: Adequacy of Budget (Maximum: 7 points).

(a) Budget is adequate and administrative costs are appropriate in relation to the services proposed (0-3 points).

(b) Administrative costs are fully assumed by applicant (0-4 points).

Part E—Contents of Application Package and Application

(Approved by the Office of Management and Budget under Control Number 0970-0062)

1. Application Package

Each application submission must include:

—A signed original and four additional copies of the application.

Please note the following:

—Applications may not exceed 30 pages in their entirety.

—The SF-424 must contain an original signature of the certifying representative of the applicant organization.

—Applications must be uniform in composition since OCS may find it necessary to duplicate them for review purposes. Therefore applications must be submitted on 8½ × 11 inch paper only. They must not include colored, oversized or folded materials, organizational brochures, or other promotional materials, slides, films, clips, etc., in the proposal. Such materials will be discarded if included.

—Applications should be submitted in ringbinders that will allow for easy separation and reassembly.

—While applications must be comprehensive, OCS encourages conciseness and brevity in the presentation of materials and cautions the applicant to avoid unnecessary duplication of information.

—All applicants will receive an acknowledgement postcard with an identification number which will be noted on the acknowledgement. This number must be referred to in all subsequent communications with OSC concerning the application. If an acknowledgement is not received within three weeks after the deadline date, applicants must notify FSA by telephone (202) 252-4586.

—Applicant should also submit a mailing label for the acknowledgement card.

2. Contents of Applications

Each copy of the application must contain in the order listed each of the following:

a. Table of Contents with page numbers noted for each major section and subsection of the proposal and each section of the appendices. Each page in the application, including those in all appendices, must be numbered consecutively.

b. Standard Form 424. Application for Federal Assistance (See Attachment B) the SF-424 should be completed in accordance with instructions provided with the form.

Applicants must also be aware that the applicant's legal name as required in SF-424 (Item 5) must match that listed as corresponding to the Employer Identification Number (Item 6).

c. Standard Form 424A, Budget Information (See Attachment C) Pages 1 and 2 should be completed.

d. Standard Form 424B, Assurances—Non-Construction Programs (See Attachment D) This form must be signed and submitted with the Application.

e. Project Narrative—(See Part F, Section 2.)

Part F—Additional Instructions for Completing Application Package

(Approved by the Office of Management and Budget under Control Number 0970-0062)

It is recommended that the applicant reproduce the SF-424 (Attachment B), SF-424A (Attachment C), and SF-424B (Attachment D), and that the application be typed on the copies. If an item on the SF-424 cannot be answered or does not appear to be related or relevant to the assistance requested, the applicant should write "NA" for "Not Applicable."

The application should be prepared in accordance with the standard instructions given with the forms, as well as the OCS specific instructions set forth below:

1. SF-424 "Application for Federal Assistance"

Item

1. For the purposes of this announcement, all projects are considered "Applications"; there are no "Pre-Applications." Also for the purposes of this announcement, construction projects are those which involve major renovations or construction. All others are considered non-construction.

5/6. The legal name of the applicant must match that listed as corresponding to the Employer Identification Number. (Item 6).

7. If the applicant is a non-profit corporation, enter "N" in the box and specify "non-profit corporation" in the space marked "Other." Proof of non-profit status must be included in the documentation of the project narrative.

8. For the purposes of this announcement, all applications are "New".

9. Department of Health and Human Services, Family Support Administration, Office of Community Services.

10. The Catalog of Federal Domestic Assistance number for the OCS program covered under this announcement is 13.795.

2. Project Narrative

Each narrative should include the following major Sections:

- Analysis of Need
- Project Design (Work Program)
- Organizational Experience in Program Area
- Management History
- Staffing and Resources
- Staff Responsibilities

The project narrative must address the specific purposes mentioned in Part B of this Program Announcement. The narrative should provide information on how the application meets the evaluation criteria in part D, section 5.c., of this Program Announcement and should follow the format below:

a. Analysis of Need

The application should include a description of the target area and population to be served as well as a discussion of the nature and extent of the problem to be solved.

b. Project Design (Work Program)

The application must contain a detailed and specific work program that is both sound and feasible. It must set forth realistic semi-annual time targets by which the various work tasks will be completed. It must identify critical issues or potential problems that might impact negatively on the project and it must indicate how the project objectives will be attained notwithstanding any such potential problems. Projects funded under this announcement must produce permanent and measurable results that fulfill the purposes of this program as described in part B. The OCS grant funds, in combination with private and/or other public resources, must be targeted to low-income individuals and communities.

If an applicant is proposing a project which will affect a property listed in or eligible for inclusion in the National Register of Historic Places, it must identify this property in the narrative and explain how it has complied with the provisions of section 106 of the National Historic Preservation Act of 1966 as amended. If there is any question as to whether the property is listed in or eligible for inclusion in the National Register of Historic Places, applicant should consult with the State Historic Preservation Officer. The applicant should contact OCS early in the development of its application to OCS for instructions regarding compliance with the Act and data required to be submitted to the Department of Health and Human Services. Failure to comply with the cited Act may result in the application being ineligible for consideration for funding.

Each applicant must address the following as they relate to the proposed project. The proposed project must be designed to address the basic criteria and legislatively-mandated activities found in Part B and should include:

- (1) Project priorities and rationale for selecting them;
- (2) Goals and objectives;
- (3) Project activities.

Each applicant also must indicate how the project will have a significant and beneficial impact by providing the following information:

- (1) A description of how the project will significantly improve or increase nutrition services, including nutrition services related to disease prevention, for low-income people;
- (2) A statement as to how the project will significantly leverage or mobilize other resources;
- (3) A description of project outreach and/or public education activity.

Quantitative data must be provided with regard to numbers 1-3 above.

The application should include a discussion on how the applicant will involve other appropriate organizations in order to avoid duplication of effort and to achieve an improved delivery system. These organizations should be identified.

In addition, if the applicant is receiving funds from the State for community food and nutrition activities, the applicant should address how the funds are being utilized and, if they will be used in the project for which OCS funds are being requested, their usage should be specifically described.

The applicant should certify that the proposed project is not a continuation of the project funded by OCS in FY 1989 nor is it a project similar to that for which the applicant received OCS funding in FY 1989.

c. Organizational Experience in Program Area

Each applicant must document competence in the area in which it is proposing to undertake activities. Documentation must be provided which addresses the relevance and effectiveness of projects previously undertaken in the area for which funds are being requested and especially their cost effectiveness, the relevance and effectiveness of any services provided, and the permanent benefits provided to the low-income population. Applicants with a history of less than two years of prior achievement in the program area should so identify themselves. They must also indicate those activities that they have carried out in the area in question and the reasons why they feel that they can successfully implement the project for which they are requesting funding.

Organizations which propose providing training and technical assistance must detail their competence in the specific program area and as a deliverer with expertise in the fields of training and technical assistance. If applicable, information provided by these applicants must also address related achievements and competence of each cooperating or sponsoring organization.

Applicants should also provide information concerning the relevant experiences and achievements of key personnel including board members, executive staff and project management staff of such organizations. The applicant also must include a written self-assessment or third party evaluation of past nutrition-related activities undertaken by applicant.

d. Management History

Applicants must detail a history of sound and effective management practices and if they have been recipients of other Federal or other governmental grants, they must also detail they have consistently complied with financial and program progress reporting and audit requirements.

If the applicant is a non-profit organization proof of non-profit status must be included in the application.

Relevant sections of an organization's Articles of Incorporation, and By-Laws are to be included.

e. Staffing and Resources

The application must fully describe (e.g. a resume) the experience and skills of the proposed project director showing that the individual is not only well qualified but that his/her professional capabilities are relevant to the successful implementation of the project. If the key staff person to manage the project has not yet been identified, the application must contain a comprehensive position description which indicates the specific responsibilities to be assigned to the project director and they must be relevant to the successful implementation of the project.

f. Staff Responsibilities

The application must include statements regarding who will have the responsibilities of the chief executive officer, who will be responsible for grant coordination with OCS, and how the assigned responsibilities of the staff are appropriate to the tasks identified for the project. It must show clearly that sufficient time of senior staff will be budgeted to assure timely implementation and cost effective management of the project.

Part G—Award Recipient Reporting Requirements

Following approval of the applications selected for funding, notice of project approval and authority to draw down project funds will be made in writing. The official award document is the Notice of Grant Award which provides the amount of Federal funds approved for use in the project, the budget period for which support is provided, and the terms and conditions of the award.

In addition to the General Conditions and Special Conditions (where the latter are warranted) which will be applicable to grants, grantees will be subject to the provisions of 45 CFR parts 74 and 92.

Grantees will be required to submit semi-annual progress and financial

reports (SF-269) as well as a final progress and financial report.

Grantees are subject to the audit requirements in 45 CFR parts 74 and 92.

Section 319 of Public Law 101-121, signed into law on October 23, 1989, imposes new prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans. It provides limited exemptions for Indian tribes and tribal organizations. Current and prospective recipients (and their subtier contactors and/or grantees) are prohibited from using appropriated funds for lobbying Congress or any Federal agency in connection with the award of a contract, grant, cooperative agreement, or loan. In addition, for each award action in excess of \$100,000 (or \$150,000 for loans) the law requires recipients and their subtier contractors and/or subgrantees (1) To certify that they have neither used nor will use any appropriated funds for payment to lobbyists, (2) to submit a declaration setting forth whether payments to lobbyists have been or will be made out of non-appropriated funds and, if so, the name, address, payment details, and purpose of any agreements with such lobbyists whom recipients or their subtier contactors or subgrantees will pay with the nonappropriated funds and (3) to file quarterly up-dates about the use of lobbyists if any event occurs that materially affects the accuracy of the

information submitted by way of declaration and certification. The law establishes civil penalties for noncompliance and is effective with respect to contracts, grants, cooperative agreements and loans entered into or made on or after December 23, 1989. See Attachment H for certification and disclosure forms to be submitted with the applications for this program.

Attachment I indicates the regulations which apply to all applicants/grantees under the Discretionary Grants Program.

Dated: May 23, 1990.

Eunice S. Thomas,

Director, Office of Community Services.

ATTACHMENT A.—1990 POVERTY INCOME GUIDELINES FOR ALL STATES (EXCEPT ALASKA AND HAWAII) AND THE DISTRICT OF COLUMBIA

Size of family unit	Poverty guideline
1.....	\$6,280
2.....	8,420
3.....	10,560
4.....	12,700
5.....	14,840
6.....	16,980
7.....	19,120
8.....	21,260

For family units with more than 8 members, add \$2,140 for each additional member.

POVERTY INCOME GUIDELINES FOR ALASKA

Size of family unit	Poverty guideline
1.....	\$7,840
2.....	10,520
3.....	13,200
4.....	15,880
5.....	18,560
6.....	21,240
7.....	23,920
8.....	26,600

For family units with more than 8 members, add \$2,680 for each additional member.

POVERTY INCOME GUIDELINES FOR HAWAII

Size of family unit	Poverty guideline
1.....	\$7,230
2.....	9,690
3.....	12,150
4.....	14,610
5.....	17,070
6.....	19,530
7.....	21,990
8.....	24,450

For family units with more than 8 members, add \$2,460 for each additional member.

BILLING CODE 4150-04-M

Attachment B—SF 424 and Instructions

OMB Approval No. 0348-0043

APPLICATION FOR
FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED	Applicant Identifier																					
3. DATE RECEIVED BY STATE		State Application Identifier																						
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier																						
5. APPLICANT INFORMATION																								
Legal Name:		Organizational Unit:																						
Address (give city, county, state, and zip code):		Name and telephone number of the person to be contacted on matters involving this application (give area code)																						
6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div>		7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/> <div style="display: flex; justify-content: space-between; font-size: small;"> <div> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____ </div> </div>																						
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____		9. NAME OF FEDERAL AGENCY:																						
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> TITLE:		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:																						
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):																								
13. PROPOSED PROJECT: Start Date Ending Date		14. CONGRESSIONAL DISTRICTS OF: a. Applicant b. Project																						
15. ESTIMATED FUNDING: <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <tr> <td style="width: 30%;">a. Federal</td> <td style="width: 10%;">\$</td> <td style="width: 10%; text-align: right;">.00</td> </tr> <tr> <td>b. Applicant</td> <td>\$</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>c. State</td> <td>\$</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>d. Local</td> <td>\$</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>e. Other</td> <td>\$</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>f. Program Income</td> <td>\$</td> <td style="text-align: right;">.00</td> </tr> <tr> <td>g. TOTAL</td> <td>\$</td> <td style="text-align: right;">.00</td> </tr> </table>		a. Federal	\$.00	b. Applicant	\$.00	c. State	\$.00	d. Local	\$.00	e. Other	\$.00	f. Program Income	\$.00	g. TOTAL	\$.00	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE _____ b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
a. Federal	\$.00																						
b. Applicant	\$.00																						
c. State	\$.00																						
d. Local	\$.00																						
e. Other	\$.00																						
f. Program Income	\$.00																						
g. TOTAL	\$.00																						
17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation <input type="checkbox"/> No																								
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN ONLY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED																								
a. Typed Name of Authorized Representative		b. Title	c. Telephone number																					
d. Signature of Authorized Representative		e. Date Signed																						

Previous Editions Not Usable

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Standard Form 424 (REV 4-88)
Prescribed by OMB Circular A-102

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: | Item: | Entry: |
|-------|--|-------|--|
| 1. | Self-explanatory. | 12. | List only the largest political entities affected (e.g., State, counties, cities). |
| 2. | Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable). | 13. | Self-explanatory. |
| 3. | State use only (if applicable). | 14. | List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. | Enter the appropriate letter in the space provided. | 18. | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. | Check appropriate box and enter appropriate letter(s) in the space(s) provided:
— "New" means a new assistance award.
— "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
— "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | |
| 9. | Name of Federal agency from which assistance is being requested with this application. | | |
| 10. | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | | |
| 11. | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | |

Attachment C—SF 424A and Instructions

OMB Approval No. 0348-0044

BUDGET INFORMATION — Non-Construction Programs

SECTION A — BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$
SECTION B — BUDGET CATEGORIES						
Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					Total (5)
	(1)	(2)	(3)	(4)	(5)	
a. Personnel	\$	\$	\$	\$	\$	\$
b. Fringe Benefits						
c. Travel						
d. Equipment						
e. Supplies						
f. Contractual						
g. Construction						
h. Other						
i. Total Direct Charges (sum of 6a - 6h)						
j. Indirect Charges						
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$	\$
7. Program Income	\$	\$	\$	\$	\$	\$

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Standard Form 424A (4-88)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.	\$	\$	\$	\$	
9.					
10.					
11.					
12. TOTALS (sum of lines 8 and 11)	\$	\$	\$	\$	
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	\$	\$	\$	\$	\$
13. Federal					
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				(e) Fourth
	(b) First	(c) Second	(d) Third		
16.	\$	\$	\$	\$	\$
17.					
18.					
19.					
20. TOTALS (sum of lines 16-19)	\$	\$	\$	\$	\$
SECTION F - OTHER BUDGET INFORMATION (Attach additional Sheets if Necessary)					
21. Direct Charges:		22. Indirect Charges:			
23. Remarks					

INSTRUCTIONS FOR THE SF-424A

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary
Lines 1-4, Columns (a) and (b)

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g.)

For *new* applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

Lines 1-4, Columns (c) through (g.) (continued)

For *continuing* grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For *supplemental* grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 — Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i — Show the totals of Lines 6a to 6h in each column.

Line 6j — Show the amount of indirect cost.

Line 6k — Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

INSTRUCTIONS FOR THE SF-424A (continued)

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8-11 - Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16 - 19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 - Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations or comments deemed necessary.

Attachment D—SF 424B

OMB Approval No. 0348-0040

ASSURANCES — NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4723-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

Attachment E—U.S. Department of Health and Human Services Certificate Regarding Drug-Free Workplace Requirements Grantees Other Than Individuals

By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

This certification is required by regulations implementing the Drug Free Workplace Act of 1988, 45 CFR Part 76, Subpart F. The regulations, published in the January 31, 1989 Federal Register, require certification by grantees that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the U.S. Department of Health and Human Services determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of the grant, or governmentwide suspension or debarment.

A. The grantee certifies that it will provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Make it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee

or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee shall insert in the space provided below, the site(s) for the performance of work done in connection with the specific grant (Street address, city, county, State, Zip Code):

Attachment F—Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primarily Covered Transactions

By signing and submitting this proposal, the applicant, defined as the primary participant in accordance with 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

(b) Have not within a 3-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default;

The inability of a person to provide the certification required above will not necessarily result in denial of participation for this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

The prospective primary participant agrees that by submitting this proposal, it will include the clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions," provided below without modifications in all lower tier covered transactions and in all solicitations for lower tier covered actions.

Attachment G—State Single Points of Contact

Alabama

Mrs. Moncell Thornell
State Single Point of Contact
Alabama Department of Economic & Community Affairs
3465 Norman Bridge Road
Post Office Box 250347
Montgomery, Alabama 36125-0347
Telephone (205) 284-8905

Arizona

Ms. Janice Dunn
Arizona State Clearinghouse
1700 West Washington Avenue
Fourth Floor
Phoenix, Arizona 85007
Telephone (602) 542-5004

Arkansas

Mr. Joseph Gillespie
Manager, State Clearinghouse
Office of Intergovernmental Service
Department of Finance and Administration
P.O. Box 3278
Little Rock, Arkansas 72203
Telephone (501) 371-1074

California

Glenn Stober
Grants Coordinator
Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814
Telephone (916) 323-7480

Colorado

State Single Point of Contact
State Clearinghouse
Division of Local Government
1313 Sherman Street, Room 520
Denver, Colorado 80203
Telephone (303) 866-2156

Connecticut

Under Secretary
Attn: Intergovernmental Review coordinator
Comprehensive Planning Division
Office of Policy and Management
80 Washington Street
Hartford, Connecticut 06106-4459
Telephone (203) 566-3410

Delaware

Francine Booth
State Single Point of Contact
Executive Department
Thomas Collins Building
Dover, Delaware 19903
Telephone (302) 736-3326

District of Columbia

Lovetta Davis
State Single Point of Contact
Executive Office of the Mayor
Office of Intergovernmental Relations
Room 416, District Building
1350 Pennsylvania Avenue NW,
Washington, D.C. 20004
Telephone (202) 727-9111

Florida

George H. Meier
Director of Intergovernmental Coordination
Director, Florida State Clearinghouse
Executive Office of the Governor
Office of Planning and Budgeting
Growth Management and Planning Policy
Unit
The Capitol
Tallahassee, Florida 32399-0001
Telephone (904) 488-6114

Georgia

Charles H. Badger
Administrator
Georgia State Clearinghouse
270 Washington Street SW,
Atlanta, Georgia 30334
Telephone (404) 656-3855

Hawaii

Mr. Harold S. Masumoto
Acting Director
Office of State Planning
Department of Planning and Economic
Development
Office of the Governor
State Capitol
Honolulu, Hawaii 96813
Telephone (808) 548-3016 or 548-3085

Illinois

Tom Berkshire
State Single Point of Contact
Office of the Governor
State of Illinois
Springfield, Illinois 62706
Telephone (217) 782-8639

Indiana

Frank Sullivan
Budget Director
State Budget Agency
212 State House
Indianapolis, Indiana 46204
Telephone (317) 232-5610

Iowa

Steven R. McCann
Division for Community Progress
Iowa Department of Economic Development

200 East Grand Avenue
Des Moines, Iowa 50309
Telephone (515) 281-3725

Kentucky

Robert Leonard
State Single Point of Contact
Kentucky State Clearinghouse
2nd Floor Capital Plaza Tower
Frankfort, Kentucky 40601
Telephone (502) 564-2382

Louisiana

Robin Hote
Division of Administration
Office of State Clearinghouse
P.O. Box 94095
Baton Rouge, Louisiana 70804-9095
Telephone (504) 342-7006

Maine

State Single Point of Contact
Attn: Joyce Benson
State Planning Office
State House Station #38
Augusta, Maine 04333
Telephone (207) 289-3261

Maryland

Mary Abrams
Director
Maryland State Clearinghouse
Department of State Planning
301 West Preston Street
Baltimore, Maryland 21201-2365
Telephone (301) 225-4490

Massachusetts

State Single Point of Contact
Attn: Beverly Boyle
Executive Office of Communities &
Development
100 Cambridge Street, Room 904
Boston, Massachusetts 02202
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Territories

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Northern Mariana Islands

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Planning and Budget Office
Office of the Governor
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Northern Mariana Islands 96950

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Attachment H—Certification Regarding Lobbying and SF LLL Disclosure Form to Report Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer, or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by

section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any

agency, a Member of Congress, an officer, or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the

required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Title

Organization

Date

BILLING CODE 4150-04-M

DISCLOSURE OF LOBBYING ACTIVITIESApproved by OMB
0348-0046Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: _____		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____
6. Federal Department/Agency:		7. Federal Program Name/Description: CFDA Number, if applicable: _____
8. Federal Action Number, if known:		9. Award Amount, if known: \$ _____
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):		b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):
(attach Continuation Sheet(s) SF-LLL-A, if necessary)		
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned		13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: (attach Continuation Sheet(s) SF-LLL-A, if necessary)		
15. Continuation Sheet(s) SF-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET**Approved by OMB
0348-0046

Reporting Entity: _____

Page _____ of _____

Attachment I—DHHS Regulations Applicable To All Applicants/Grantees

The following DHHS regulations apply to all applicants/grantees under the Community Food and Nutrition Program.

Title 45 of the Code of Federal Regulations:

Part 16—Department Grant Appeals Process.

Part 74—Administration of Grants (non-governmental).

Part 74—Administration of Grants (state and local governments and Indian Tribal affiliates):

Section 74.62(a) Non-Federal Audits.

Section 74.173 Hospitals.

Section 74.174(b) Other Nonprofit Organizations.

Section 74.304 Final Decisions in Disputes.

Section 74.710 Real Property, Equipment and Supplies.

Section 74.715 General Program Income.

Part 75—Informal Grant Appeal Procedures.

Part 76—Debarment and Suspension from Eligibility for Financial Assistance.

Subpart F—Drug Free Workplace Requirements

Part 80—Non-discrimination; Under Programs Receiving Federal Assistance through the Department of Health and Human Services. Effectuation of title VI of the Civil Rights Act of 1964.

Part 81—Practice and Procedures for Hearings Under part 80 of this title.

Part 83—Nondiscrimination on the basis of sex in the admission of individuals to training programs.

Part 84—Non-discrimination on the Basis of Handicap in Programs.

Part 91—Non-discrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financing Assistance.

Part 92—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (Federal Register, March 11, 1988).

Part 100—Intergovernmental Review of Department of Health and Human Services Programs and Activities.

Attachment J—Optional Checklist (for Use of Applicant Only) To Verify Contents of Application)

A. Application contains:

1. Table of Contents.
2. Completed SF 424, Application for Federal Assistance.
3. Completed SF 424A, Budget Information—Non-Construction Programs.
4. Signed SF 424B, Assurances—Non-Construction Programs.
5. A project narrative with the following components:
 - a. Analysis of need.
 - b. Project design.

c. Organizational experience in program.
d. Management history.
e. Staffing and resources (resume or job description).

f. Staff responsibilities.
6. Relevant portions of the organization's by-laws and articles of incorporation confirming eligibility.

B. A signed copy of Certification Regarding the Anti-Lobbying Provision;

C. A completed Disclosures of Lobbying Activities form, if appropriate;

D. A self-addressed mailing label which can be affixed to a postcard to acknowledge receipt of application.

E. Application does not exceed a total of 30 pages.

F. Application includes one original and four copies, printed on white 8½ by 11 inch paper, and presented in a ring binder.

G. Applicant is aware that in signing and submitting the application for funds under the CFN program, it is certifying that it has read and understood the Federal Guidelines concerning a drug-free workplace and the debarment regulations set forth in attachments E and F respectively.

[FR Doc. 90-12518 Filed 5-30-90; 8:45 am]

BILLING CODE 4150-04-M

[The page contains extremely faint, illegible text, likely bleed-through from the reverse side. The text is organized into several columns and paragraphs, but no specific words or phrases can be discerned.]

Registered

Thursday
May 31, 1990

Part V

**Department of Defense
General Services
Administration**

**National Aeronautics and
Space Administration**

48 CFR Part 9

**Federal Acquisition Regulation (FAR);
Effect of Debarment/Suspension on
Bids/Offers; Proposed Rule**

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Part 9****Federal Acquisition Regulation (FAR);
Effect of Debarment/Suspension on
Bids/Offers**

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulatory Council are considering changes to FAR 9.405 to provide procedural guidance by adding paragraph (d) for contracting officers to follow when they receive a bid from a firm on the List of Parties Excluded from Procurement Programs.

DATES: Comments should be submitted to the FAR Secretariat at the address shown below on or before July 30, 1990, to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to: General Services Administration, FAR Secretariat (VRS), 18th & F Streets, NW., Room 4041, Washington, DC 20405.

Please cite FAR Case 90-27 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT: Ms. Margaret A. Willis, FAR Secretariat, Room 4041, GS Building, Washington, DC 20405, (202) 501-4755. Please cite FAR Case 90-27.

SUPPLEMENTARY INFORMATION:**A. Regulatory Flexibility Act**

The proposed rule is not expected to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because it merely provides procedural and policy guidance to contracting officers, and imposes no requirements of any kind upon small entities. Comments from small entities concerning the affected FAR subpart will also be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite section 90-610 (FAR Case 90-27) in correspondence.

B. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed changes to the FAR do not impose recordkeeping information collection requirements or collection of information from offerors, contractors, or members of the public which require the approval of OMB under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 9

Government procurement.

Dated: May 23, 1990.

Harry S. Rosinski,
Acting Director, Office of Federal Acquisition Policy.

Therefore, it is proposed that 48 CFR part 9 be amended as set forth below:

**PART 9—CONTRACTING
QUALIFICATIONS**

1. The authority citation for 48 CFR parts 9 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Section 9.405 is amended by adding paragraph (d) to read as follows:

9.405 Effect of listing.

* * * * *

(d) After the opening of bids or receipt of proposals, the Contracting Officer shall review the List of Parties Excluded from Procurement Programs. Bids received from any listed contractor in response to an invitation for bids shall be entered on the abstract of bids, and rejected unless the acquiring agency's head or designee determines in writing that there is a compelling reason to consider the bid. Proposals, quotations, or offers received from any listed contractor shall not be evaluated for award or included in the competitive range, and discussions shall not be conducted with such offeror, unless the acquiring agency's head or designee determines, in writing, that there is a compelling reason to do so.

[FR Doc. 90-12571 Filed 5-30-90; 8:45 am]

BILLING CODE 6820-34-M

United States Federal Register

Thursday
May 31, 1990

Part VI

Department of Health and Human Services

Office of Community Services

Request for Applications Under Fiscal
Year 1990 Jobs Opportunities for Low-
Income Individuals Program; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Program Announcement No. OCS-90-6]

Request for Applications Under the Office of Community Services' Fiscal Year 1990 Jobs Opportunities for Low-Income Individuals Program (Demonstration Projects)

AGENCY: Office of Community Services, FSA, HHS.

ACTION: Request for applications under the Office of Community Services' Jobs Opportunities for Low Income Individuals Programs (Demonstration Projects).

SUMMARY: The Family Support Administration, Office of Community Services [OCS], announces that competing applications will be accepted for new grants pursuant to the Secretary's discretionary authority under section 505 of the Family Support Act of 1988. This Program Announcement consists of seven parts:

Part A covers information on legislative authorities and defines terms used in the Program Announcement;

Part B describes the types of projects that will be considered for funding and defines who is eligible to apply;

Part C provides details on application prerequisites, funds available, limitations on grant amounts, project periods, who should benefit from the programs, prohibition on the use of funds, and other application requirements;

Part D describes the application procedures, including the availability of forms, where and how to submit an application, the criteria used in screening and evaluating applications, and compliance with Federal requirements regarding the drug-free workplace, debarment, and antilobbying regulations in submitting the application;

Part E describes the contents of the application package and receipt process;

Part F provides instructions for completing the SF-424 following standard Federal guidelines as well as OCS specific requirements, and describes how the project narrative should be ordered and presented; and

Part G details post-award information and reporting requirements.

CLOSING DATE: The closing date for submission of applications is July 30, 1990.

FOR FURTHER INFORMATION CONTACT: Office of Community Services, Office of State and Project Assistance 370 L'Enfant Promenade SW., Washington, DC 20447; telephone (202) 252-5242; contact Jacqueline G. Lemire.

Part A—Preamble

1. Legislative Authority

Section 505 of the Family Support Act of 1988 authorizes the Secretary to enter

into agreements with not less than 5 nor more than 10 nonprofit organizations (including community development corporations) for the purpose of conducting demonstration projects to create employment and business opportunities for certain low-income individuals.

2. Departmental Goals

The Secretary has established a broad Departmental goal of strengthening American families and has instituted several objectives to help realize this goal. One of these objectives is particularly relevant to this program, i.e. implementing the Family Support Act, particularly as it relates to the JOBS program. Also, of interest to the Secretary are activities that address the needs of minority families.

3. Definition of Terms

For purposes of this Program Announcement the following definitions apply:

- Eligible participant/beneficiary: any individual eligible to receive Aid to Families with Dependent Children under Part A of Title IV of the Social Security Act and any other individual whose income level does not exceed 100 percent of the official poverty line as found in the most recent Annual Revision of Poverty Income Guidelines published by the Department of Health and Human Services. (See Attachment A.)
- Non-profit organizations: any organization (including a community development corporation) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 by reason of paragraph (3) or (4) of section 501(c) of such Code.
- Community development corporation: a private, locally initiated, nonprofit entity, governed by a board consisting of residents of the community and business and civic leaders, which has a record of implementing economic development projects or whose Articles of Incorporation and/or By-Laws indicate that it has a focus in the area of economic development.
- Self-sufficiency: a condition where an individual or family, by reason of employment, does not need and is not eligible for public assistance.
- Private employers: third-party private non-profit organizations or third-party for-profit businesses located in the same community as the applicant.

Part B—Purpose

The purpose of this program is to demonstrate and evaluate ways of creating new employment and business opportunities for certain low-income

individuals through the provision of technical and financial assistance to private employers in the community. A low-income individual eligible to participate in a project conducted under this program is any individual eligible to receive Aid to Families with Dependent Children (AFDC) under Part A of Title IV of the Social Security Act and any other individual whose income level does not exceed 100 percent of the official poverty line. (See Attachment A.) Within these categories, emphasis should be on individuals who are unemployed, those residing in public housing, and those who are homeless.

OCS will fund projects that hold promise for aiding eligible participants in their progress toward self-sufficiency. Therefore, proposed projects must show promise of increasing self-sufficiency among the target population. OCS expects that the jobs and/or business employment (self-employment) opportunities to be created under this program will contribute to the goal of self-sufficiency by, for example, providing hourly wages that significantly exceed the minimum wage and/or benefits such as health insurance, transportation, child care, career development opportunities, etc.

Applications must show that the proposed project will create a significant number of full-time permanent jobs and/or a significant number of business development opportunities for eligible participants.

While projected employment in future years may be included in the application, it is essential that the focus of employment opportunities concentrate on full-time, permanent jobs to be created during the duration of the OCS project period and/or on the creation of business development opportunities for low-income individuals or significantly aiding such individuals in maintaining economically viable businesses.

In creating self-employment business opportunities for eligible participants, applicant must detail how it will work with private employers in identifying potential entrepreneurs. The assistance to be provided to potential entrepreneurs must include, at a minimum, technical assistance in basic business planning and management concepts, and assistance in preparing a business plan and loan application.

Any funds that are used for training purposes must be limited to providing specific job-related training to eligible participants who have been selected for employment.

In the review process, favorable consideration will be given to applicants

with a demonstrated record of achievement in promoting job and enterprise opportunities for low-income people. Favorable consideration also will be given to those applicants who show the lowest cost-per-job created or saved. OCS views \$15,000 as the maximum amount for the creation of a job and, unless there are extenuating circumstances, will not fund projects where the cost-per-job in OCS funds exceeds this amount.

Technical assistance should be specifically addressed to the needs of the private employer in developing the positions to be filled by eligible individuals and/or to the individuals themselves such as skills training, job preparation, self-esteem building, etc. Financial assistance also may include assistance to the private employer as well as assistance to the individual.

The creation of a revolving loan fund with funds received under this program is an allowable activity. However, OCS encourages the use of funds from other sources for this purpose. Points will be awarded in the review process to those applicants who leverage funds from other sources. (See part D, Criterion VI.) Loans made to eligible beneficiaries for business development activities must be at or below market rate.

Grant funds received under this program may not be used for construction.

A formal, cooperative relationship between the applicant and the agency (State IV-A agency) responsible for administering the Job Opportunities and Basic Skills (JOBS) training program (as provided for under title IV-A of the Social Security Act) in the area served by the project is a requirement for funding. The application must include a written agreement between the applicant and the State IV-A agency, or a letter of intent (contingent only on receipt of OCS funds signed by both parties, which describes the cooperative relationship, including specific activities and/or actions each of these entities proposes to carry out over the course of the grant period in support of the project. The agreement, at a minimum, must cover activities related to one or more of the mandatory or optional components offered by the appropriate State's JOBS program.

Projects also must include an independent, methodologically sound evaluation of the effectiveness of the activities carried out with the grant in creating jobs and business opportunities. The use of comparison groups will be required. (See parts D and F for evaluation criteria and evaluation elements.)

Applications should include a plan for disseminating the results of the project after expiration of the grant period. Applicants may budget up to \$1,000 for dissemination purposes.

Priority will be given to applications proposing to serve those areas containing the highest percentage of individuals receiving Aid to Families with Dependent Children under Title IV-A of the Social Security Act. (See part D, Criterion I.)

Applicants must be aware that it is expected that projects will be operational by the end of the project period, i.e. that the jobs and/or businesses that the applicant committed itself in the application to creating will be in place, and low-income individuals will actually be employed in those jobs and/or businesses.

See part F, 4, d, for special instructions on developing a work program.

Part C—Application Prerequisites

1. Eligible Applicants

Eligible applicants are nonprofit organizations (including community development corporations).

2. Availability of Funds

a. The Office of Community Services expects to award approximately \$3,500,000 in the fourth quarter of Fiscal year 1990 for new grants under this program to fully fund three year projects.

b. *Grant Amounts.* No more than \$500,000 will be granted to any organization under this program in FY 90.

3. Project and Budget Periods

Project and budget periods will be 36 months. By fully funding the projects in FY 90 funding stability in future years will be insured.

4. Mobilization of Resources

OCS will give favorable consideration in the review process to applicants who mobilize cash and/or third-party in-kind contributions for direct use in the project. (See Part D, Criterion VI.)

5. Program Participants/Beneficiaries

Projects proposed for funding under this announcement must result in direct benefits to low-income people as defined in the most recent Annual Revision of Poverty Income Guidelines published by DHHS and individuals eligible to receive Aid to Families with Dependent Children under Part A of title IV of the Social Security Act.

Attachment A to this announcement is an excerpt from the guidelines currently in effect. Annual revisions of these

guidelines are normally published in the **Federal Register** in February or early March of each year. Grantees will be required to apply the most recent guidelines throughout the project period. These revised guidelines also may be obtained at public libraries, Congressional offices, or by writing the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

No other government agency or privately-defined poverty guidelines are applicable for the determination of low-income eligibility for this program.

Note, however, that low-income individuals granted lawful temporary resident status under sections 245A or 210A of the Immigration and Nationality Act, as amended by the Immigration Reform and Control Act of 1986 (Pub. L. 99-603) may not be eligible for direct or indirect assistance based on financial need under this program for a period of five years from the date such status was granted. A copy of the Department of Justice Final Rule (8 CFR 245a.5) detailing the eligibility of these aliens may be obtained by calling (202) 252-5242.

6. Prohibition on the Use of Funds

The use of funds for new construction or the purchase of real property is prohibited. Costs incurred for rearrangement and alteration of facilities required specifically for the grant program are allowable when specifically approved by OCS in writing.

7. Multiple Submittals

Due to the limited number of grants which will be made under this program, only one proposal from an eligible applicant will be accepted by OCS.

Part D—Application Procedures

1. Availability of Forms

Attachments B, C and D contain all of the standard forms necessary for the application for awards under these OCS programs. These forms may be photocopied for the application.

Copies of the **Federal Register** containing this announcement are available at most local libraries and Congressional District Offices for reproduction. If copies are not available at these sources, they may be obtained by writing or telephoning the office listed under the section entitled "**FOR FURTHER INFORMATION CONTACT**" at the beginning of this announcement.

Part F contains instructions for the project narrative. The project narrative will be submitted on plain bond paper along with the SF-424 and related forms.

Attachment K provides a checklist to aid applicants in preparing a complete application package for OCS.

The application will consist of:

- (a) Standard Form 424, "Application for Federal Assistance" (SF-424);
- (b) "Budget Information-Non-Construction Programs" (SF-424A);
- (c) "Assurances-Non-Construction Programs" (SF-424B); and
- (d) The Project Narrative.

The applicant must be aware that in signing and submitting the application for this award, it is certifying that it will comply with the Federal requirements concerning the drug-free workplace and debarment regulations set forth in Attachments E and F.

2. Application Submission

Applications must be submitted to FSA by the closing date. Refer to "CLOSING DATE" at the beginning of this document for the specific date.

Applications may be mailed to: Family Support Administration, Office of Grants Management, 6th Floor OFM/DGM, 370 L'Enfant Promenade, SW, Washington, DC 20447.

Hand-delivered applications are accepted during normal working hours of 8 a.m. to 4:30 p.m., Monday through Friday, on or prior to the established closing date at: Family Support Administration, Office of Grants Management, Sixth Floor, 901 D Street, SW., Washington, DC 20447.

An application will be considered to be received on time if sent on or before the closing date as evidenced by a legible U.S. Postal Service postmark or a legibly dated receipt from a commercial carrier. Private metered postmarks will not be considered acceptable as proof of timely mailing. Applications submitted by any means other than through the U.S. Postal Service or commercial carrier shall be considered as acceptable only if physically received at the above address before close of business on or before the deadline date.

Note: Applicants should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, applicants should check with their local post offices.

Late applications will be returned to the senders without consideration in the competition.

Applications once submitted are considered final and no additional materials will be accepted by OCS.

One signed original application and four copies are required. The first page of the SF-424 must contain in the lower right-hand corner, a designation indicating the program under which funds are being requested. The following letters must be used: JO

3. Intergovernmental Review

This program is covered under Executive Order 12372, "Intergovernmental Review of Federal Programs," and 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." Under the Order, States may design their own processes for reviewing and commenting on proposed Federal Assistance under covered programs.

All States and Territories except Alaska, Idaho, Kansas, Minnesota, Nebraska, Virginia, American Samoa and Palau have elected to participate in the Executive Order process and have established Single Points of Contact (SPOCs). Applicants from these seven jurisdictions need take no action regarding E.O. 12372. Applicants for projects to be administered by federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372. Otherwise, applicants must submit any required material to the SPOCs as soon as possible to alert them of the prospective applications and receive any necessary instructions, so that the OCS can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 18a.

Under 45 CFR 100.8(a)(2), a SPOC has 60 days from the application deadline date to comment on proposed new or competing continuation awards. Therefore, the comment period for State processes will end 60 days after the date of publication of this Announcement to allow time for FSA to review, consider and attempt to accommodate SPOC input. SPOCs are encouraged to eliminate the submission of routine endorsement as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which they intend to trigger the "accommodate or explain" rule under 45 CFR 100.10.

When comments are submitted directly to FSA, they should be addressed to: Department of Health and Human Services, Family Support Administration, Office of Grants Management, 6th Floor, 370 L'Enfant Promenade SW., Washington, DC. 20447.

A list of the Single Points of Contact for each State and Territory is included as appendix G of this announcement.

4. Application Consideration

Applications which meet the screening requirements in sections 5 a. and b. below will be reviewed competitively. Such applications will be referred to reviewers for a numerical score and explanatory comments based solely on responsiveness to the guidelines and evaluation criteria published in this announcement.

Applications will be reviewed by persons outside of the OCS unit which will be directly responsible for programmatic management of the grant. The results of these reviews will assist the Director and OCS program staff in considering competing applications. Reviewers' scores will weigh heavily in funding decisions but will not be the only factors considered. Applications generally will be considered in order of the average scores assigned by reviewers. However, highly ranked applications are not guaranteed funding since other factors are taken into consideration, including: comments of reviewers and government officials; staff evaluation and input; geographic distribution; previous program performance of applicants; compliance with grant terms under previous DHHS grants; audit reports; investigative reports; and applicant's progress in resolving any final audit disallowances on previous OCS or other Federal agency grants.

OCS reserves the right to discuss applications with other Federal or non-Federal funding sources to ascertain the applicant's performance record.

5. Criteria for Screening Applicants

a. Initial Screening

All applications that meet the published deadline for submission will be screened to determine completeness and conformity to the requirements of this announcement. Only those applications meeting the following requirements will be reviewed and evaluated competitively. Others will be returned to the applicants with a notation that they were unacceptable.

(1) The application must contain a Standard Form 424 "Application for Federal Assistance" (SF-424), a budget (SF-424A), and signed "Assurances" (SF 424B) completed according to instructions published in Part F and Attachment B, C, and D of this Program Announcement.

(2) A project narrative must also accompany the standard forms.

(3) The SF-424 and the SF-424B must be signed by an official of the organization applying for the grant who

has authority to obligate the organization legally.

b. Pre-rating Review

Applications which pass the initial screening will be forwarded to reviewers and/or OCS staff prior to the programmatic review to verify that the applications comply with this Program Announcement in the following areas:

(1) *Eligibility.* Applicant meets the eligibility requirements described in Part C, item 1. Proof of nonprofit status must be included in the Appendices of the Project Narrative. Applicants must also be aware that the applicant's legal name as required in SF-424 (Item 5) must match that listed as corresponding to the Employer Identification Number (Item 6).

(2) *Target Populations.* The application clearly targets the specific outcomes and benefits of the project to those types of low-income participants and beneficiaries described in Part C., 5, Program Participants/Beneficiaries.

(3) *Grant amount.* The amount of funds requested does not exceed the limits indicated in Part C, 2, b.

(4) *Program focus.* The application addresses the purposes described in Part B of this announcement.

(5) *Cooperative Partnership Agreement.* The application contains a written agreement or letter of intent signed by the applicant and the agency responsible for administering the JOBS program in the area to be served.

(6) *Project Evaluation.* A third-party project evaluation plan is included.

An application will be disqualified from the competition and returned if it does not conform to all of the above requirements.

c. Evaluation Criteria

Applications which pass the pre-rating review will be assessed and scored by reviewers. Each reviewer will give a numerical score for each application reviewed. These numerical scores will be supported by explanatory statements on formal rating form describing major strengths and weaknesses under each applicable criterion published in the announcement.

The in-depth evaluation and review process will use the following criteria coupled with the specific requirements described in Part B. Scoring will be based on a total of 100 points.

Note: The following review criteria reiterate collection of information requirements contained in Part F of this announcement. These requirements are approved under OMB Control Number 0970-0062.

Criteria for Review and Evaluation of All Applications

(a) *Criterion I: Analysis of Need (Maximum: 10 points).* The application documents that the community in which the project is proposing to operate has a high percentage of individuals receiving Aid to Families with Dependent Children under Title IV-A of the Social Security Act.

(b) *Criterion II: Organizational Experience in Program Area and Staff Responsibilities (Maximum: 10 points)—*

(i) *Organizational Experience in Program Area (0-5 points).* Documentation provided indicates that projects previously undertaken have been relevant and effective and have provided permanent benefits to the low-income population.

The organization has detailed competence in the specific program area and as a deliverer with expertise in the area of technical assistance. The applicant has demonstrated the ability to implement major activities in such areas as human development, business development, or financial services; the ability to mobilize funds from sources such as the private sector (corporations, banks, etc.), foundations, the public sector, including State and local governments, or individuals; that it has a sound organizational structure and proven organizational capability; and an ability to develop and maintain a stable program in terms of business or job development activities that will provide needed permanent jobs and/or business development opportunities.

Note: The maximum number of points will be given only to those organizations with a demonstrated record of achievement in promoting job and enterprise opportunities for low-income people.

(ii) *Staff Skills, Resources and Responsibilities (0-5 points).* The application describes in brief résumé form the experience and skills of the project director, who is not only well qualified, but his/her professional capabilities are relevant to the successful implementation of the project. If the key staff person has not yet been identified, the application contains a comprehensive position description which indicates that the responsibilities to be assigned to the project director are relevant to the successful implementation of the project. The applicant has adequate facilities and resources (i.e. space and equipment) to successfully carry out the work plan. The assigned responsibilities of the staff are appropriate to the tasks identified for the project and sufficient time of senior staff will be budgeted to

assure timely implementation and cost effective management of the project.

The applicant has identified the person responsible for the third party evaluation and that person appears to be well qualified or, if not yet identified, an adequate position description has been included.

(c) *Criterion III: Project Implementation (Maximum: 20 points).* The work plan and Business Plan(s), where appropriate, is both sound and feasible. The Project is responsive to the needs identified in the Analysis of Need. The work plan clearly details the technical and financial assistance to be provided as well as other activities. It sets forth realistic quarterly time targets by which the various work tasks will be completed. Critical issues or potential problems that might impact negatively on the project are defined and the project objectives can be reasonably attained despite such potential problems. The application provides a description of an adequate process for development of policies and procedures which will form the basis for the process evaluation.

(d) *Criterion IV: Significant and Beneficial Impact (Maximum: 30 points)—*(i) *Significant Impact (0-10 points).* The application contains a full and accurate description of the proposed use of the requested financial assistance. The proposed project is expected to produce permanent and measurable results that will reduce the incidence of poverty in the community. Expected results are quantifiable in terms of permanent, full-time jobs created or business opportunities developed. In developing business opportunities the applicant proposes, at a minimum, to provide basic business planning and management concepts, and assistance in preparing a business plan and loan package.

(ii) *Cost-per-Job (0-10 points).* During the project period the proposed project will create new, permanent jobs or business opportunities for low-income residents at a cost-per-job below \$15,000 in OCS funds. [Note: Except in those instances where independent reviewers identify extenuating circumstances related to business development activities, the maximum number of points will be given only to those applicants proposing cost-per-job created estimates of \$5,000 or less of OCS requested funds. Higher cost-per-job estimates will receive correspondingly fewer points.]

(iii) *Quality of Jobs/Business Opportunities (0-10 points).* The application documents that:

—The business opportunities to be developed for eligible participants will contribute significantly to their progress toward self-sufficiency; and/or

—Jobs to be created for eligible participants will contribute significantly to their progress toward self-sufficiency, i.e. they provide, for example, wages that exceed the minimum wage, benefits such as health insurance, transportation, child care; career development opportunities, etc.

(e) *Criterion V: Third-Party Evaluation (Maximum: 10 points).* The Evaluation Plan:

—Includes a specific working definition (consistent with the broad definition contained in Part A) of "self-sufficiency" for this project that permits the measurement of incremental movement of eligible individuals and their families from dependency toward self-sufficiency. (0-2 points)

—Provides for the completion of a process evaluation covering the following elements: the cooperative partnership, staffing, all pertinent policies and procedures, technical and financial assistance to private employers, client outreach, services and process for service provision, applicant and community linkages, other community resources, changes from original plan, critical elements of program implementation, and an implementation summary. (0-4 points)

—Provides for the completion of an outcomes evaluation which describes the project design, sample size, subject selection, interventions, outcomes, measurement instruments, time and number of measurements, data collection procedures, and analytical techniques. The outcomes evaluation report will yield findings, an interpretation of findings, and identify major issues for replication. (0-4 points)

(f) *Criterion VI: Public-Private Partnerships (Maximum: 15 points).*

—The cooperative partnership arrangements are fully described and clearly relate to the objectives of the proposed project, and the activities include one or more of the mandatory or optional components of the State's JOBS program. (0-10 points)

—The application documents that the applicant will mobilize from public and/or private sources cash and/or third-party in-kind contributions. Applications documenting that the value of such contributions will be at least equal to the OCS funds requested will receive the maximum

number of points for this criterion. Lesser contributions will be given consideration based upon the value documented. (0-5 points)

(g) *Criterion VII: Budget Appropriateness and Reasonableness (Maximum: 5 points).* Funds requested are commensurate with the level of effort necessary to accomplish the goals and objectives of the project. The application includes a detailed budget break-down for each of the budget categories in the SF-424A. The applicant presents a reasonable administrative cost in lieu of a negotiated indirect cost rate. The estimated cost to the government of the project also is reasonable in relation to the anticipated results.

Part E—Contents of Application and Receipt Process

1. Contents of Application

Each application must include one original and four additional copies of the following:

- a. A signed "Application for Federal Assistance" (SF-424);
- b. "Budget Information-Non-Construction Programs" (SF-424A);
- c. A signed "Assurances-Non-Construction Programs" (SF-424B);
- d. A Project Narrative consisting of the following elements preceded by a consecutively numbered Table of Contents that will describe the project in the following order:
 - (i) Eligibility Confirmation
 - (ii) Analysis of Need
 - (iii) Organizational Experience and Staff Responsibilities
 - (iv) Work Program
 - (v) Third-Party Evaluation
 - (vi) Cooperative Partnership Agreement
 - (vii) Appendices, including proof of non-profit status; Single Point of Contact comments if applicable; and resumes.

The original SF-424 must bear the signature of the authorizing representative of the applicant organization.

The total number of pages for the entire application package should not exceed 50 pages.

Applications must be uniform in composition since OCS may find it necessary to duplicate them for review purposes. Therefore, applications must be submitted on white 8½ x 11 inch paper only. They must not include colored, oversized or folded materials. Do not include organizational brochures or other promotional materials, slides, films, clips, etc. in the proposal. They will be discarded if included.

2. Acknowledgement of Receipt

Applicants who meet the initial screening criteria outlined in section D,

subsection 5.a. will receive an acknowledgement postcard with an assigned identification number. Applicants are requested to supply a self-addressed mailing label with their application which can be attached to this acknowledgement postcard. This number and the program letter code must be referred to in all subsequent communication with OCS concerning the application. If an acknowledgement is not received within three weeks after the deadline date, please notify FSA by telephone (202) 252-4586.

Part F—Instructions for Completing Application Package

(Approved by the Office of Management and Budget under Control Number 0970-0062)

The standard forms attached to this announcement shall be used to apply for funds under this program announcement.

It is suggested that you reproduce the SF-424 and SF-424A, and type your application on the copies. If an item on the SF-424 cannot be answered or does not appear to be related or relevant to the assistance requested, write "NA" for "Not Applicable."

Prepare your application in accordance with the standard instructions given in Attachments B and C corresponding to the forms, as well as the OCS specific instructions set forth below:

1. SF-424 "Applications for Federal Assistance"

Item

1. For the purpose of this announcement, all submissions are considered "Applications"; there are no "Pre-Applications."

5 and 6. The legal name of the applicant must match that listed as corresponding to the Employer Identification Number.

7. Enter "N" in the box and specify "non-profit corporation" in the space marked "Other." Proof of non-profit status must be included in the documentation of the project narrative.

8. For the purposes of this announcement, all applications are "New".

9. Enter "Office of Community Services, Family Support Administration, Department of Health and Human Services."

10. The Catalog of Federal Domestic Assistance number for OCS programs covered under this announcement is 13.782. The title is "Jobs Opportunities for Low-Income Individuals Program (Demonstration Projects)."

2. SF-424A—"Budget Information—Non-Construction Programs"

See Instructions accompanying this form as well as the instructions set forth below:

In completing these sections, the "Federal Funds" budget entries will relate to the requested OCS funds only, and "Non-Federal" will include mobilized funds from all other sources—applicant, state, local, and other. Federal funds other than requested OCS funding should be included in "Non-Federal" entries.

The budget forms in SF-424A are only to be used to present grant administrative costs and major budget categories. Financial data that is generated as part of a project Business Plan or other internal project cost data must be separate and should appear as part of the project Business Plan or other project implementation data.

Sections A and D of SF-424A must contain entries for both Federal (OCS) and non-Federal (mobilized) funds. Section B contains entries for Federal (OCS) funds only. Clearly identified continuation sheets in SF-424A format should be used as necessary.

Section A—Budget Summary

Lines 1-4

Col. (a):

Line 1 Enter "Job Opportunities for Low-Income Individuals"

Col. (b):

Line 1 Enter [to be inserted]

Col. (c) and (d):

Columns (c) and (d) are not relevant to this program and should not be completed.

Column (e)-(g)

For line 1, enter in columns (e), (f) and (g) the appropriate amounts needed to support the project for the budget period.

Line 5 Enter the figures from Line 1 for all columns completed as required, (c), (d), (e), (f), and (g).

Allowability of costs are governed by applicable cost principles set forth in 45 CFR parts 74 and 92. Columns (1) and (5):

In OCS applications, it is only necessary to complete Columns (1) and (5).

Column 1: Enter the total requirements for OCS Federal funds by the Object Class Categories of this section:

Personnel-Line 6a: Enter the total costs of salaries and wages of applicant/grantee staff only. Do not include costs of consultants or personnel costs of delegate agencies or of specific project(s) or businesses to be financed by the applicant.

Fringe Benefits-Line 6b: Enter the total costs of fringe benefits unless treated as

part of an approved indirect cost rate which is entered on line 6j. Provide a breakdown of amounts and percentages that comprise fringe benefit costs.

Travel-Line 6c: Enter total costs of out-of-town travel by employees of the project. Do not enter costs for consultant's travel or local transportation. Provide justification for requested travel costs. (See Line 6h and Line 21 for additional instructions).

Equipment-Line 6d: Enter the total costs of all non-expendable personal property to be acquired by the project. "Non-expendable personal property" means tangible personal property having an acquisition cost per unit of \$500 or more for non-profit organizations and \$5,000 or more for public organizations and having a useful life of one year. An applicant may use its own definition of non-expendable personal property, provided that such a definition would at least include all tangible personal property as defined in the preceding sentence. (See Line 21 for additional requirements).

Supplies-Line 6e: Enter the total costs of all tangible personal property (supplies) other than that included on line 6d.

Contractual-Line 6f: Enter the total costs of all contracts, including (1) procurement contracts (except those which belong on other lines such as equipment, supplies, etc.) and (2) contracts with secondary recipient organizations including delegate agencies and specific project(s) or businesses to be financed by the applicant. Also include any contracts with organizations for the provision of technical assistance. Do not include payments to individual service contractors on this line. If available at the time of application, attach a list of contractors indicating the name of the organization, the purpose of the contract and the estimated dollar amount of the award. If the name of contractor, scope of work, or estimated total are not available or have not been negotiated, include these in Line h, "Other".

Note: Whenever the applicant/grantee intends to delegate part of the program to another agency, the applicant/grantee must submit sections A and B of this form (SF-424A), completed for each delegate agency by agency title, along with the required supporting information referenced in the applicable instructions. The total costs of all such agencies will be part of the amount shown on Line 6f. Provide back-up documentation identifying name of contractor, purpose of contract and major cost elements.

Construction-Line 6g: Not applicable.

Other-Line 6h: Enter the total of all other costs. Such costs, where

applicable, may include but are not limited to insurance, food, medical and dental costs (noncontractual), fees and travel paid directly to individual consultants, local transportation (all travel which does not require per diem is considered local travel), space and equipment rentals, printing and publication, computer use, training costs, including tuition and stipends, training service costs including wage payments to individuals and supportive service payments, and staff development costs.

Total Direct Charges-Line 6i: Show the total of Lines 6a through 6h.

Indirect Charges-Line 6j: Enter the total amount of indirect costs. This line should be used only when the applicant currently has an indirect cost rate approved by the Department of Health and Human Services or another Federal agency. With the exception of local governments, applicants should enclose a copy of the current rate agreement if it was negotiated with a Federal agency other than the Department of Health and Human Services.

If the applicant organization is in the process of initially developing or renegotiating a rate, it should immediately upon notification that an award will be made, develop a tentative indirect cost rate proposal based on its most recently completed fiscal year in accordance with the principles set forth in the pertinent DHHS Guide for Establishing Indirect Cost Rates, and submit it to the appropriate DHHS Regional Office.

It should be noted that when an indirect cost rate is requested, those costs included in the indirect cost pool should not be also charged as direct costs to the grant.

Totals-Line 6k: Enter the total amounts of Lines 6i and 6j. The total amount shown in Section B, Column (5), Line 6k, should be the same as the amount shown in Section A, Line 5, Column (e).

Program Income-Line 7: Enter the estimated amount of income, if any, expected to be generated from this project. Separately show expected program income generated from OCS support and income generated from other mobilized funds. Do not add or subtract this amount from the budget total. Show the nature and source of income in the program narrative statement.

Column 5: Carry totals from Column 1 to Column 5 for all line items.

Section C—Non-Federal Resources

This section is to record the amounts of "non-Federal" resources that will be

used to support the project. "Non-Federal" resources mean those other than OCS funds. Therefore, mobilized funds from other Federal programs should be entered on these lines. Provide a brief listing of the non-Federal resources on a separate sheet and describe whether it is a grantee-incurred cost or a third-party in-kind contribution. The firm commitment of these resources must be documented and submitted with the application in order to be given credit in the Public-Private Partnerships criterion.

Except in unusual situations, this documentation must be in the form of letters of commitment from the organization(s)/individuals from which funds will be received.

Line 8:

Column (a): Enter the project title.

Column (b): Enter the amount of contributions to be made by the applicant to the project.

Column (c): Enter the State contribution. If the applicant is a State agency, enter the non-Federal funds to be contributed by the State other than the applicant.

Column (d): Enter the amount of cash and third-party in-kind contributions to be made from all other sources.

Column (e): Enter the total of columns (b), (c), and (d).

Lines 9, 10, and 11 should be left blank.

Line 12:

Carry the total of each column of Line 8, (b) through (e). The amount in column (e) should be equal to the amount on Section A, Line 5, column (f).

Section D—Forecasted Cash Needs

Line 13—Enter the amount of Federal (OCS) cash needed for this grant, by quarter, during the budget period.

Line 14—Enter the amount of cash from all other sources needed by quarter during the budget period.

Line 15—Enter the total of Lines 13 and 14.

Section E—Budget Estimates of Federal Funds Needed for Balance of Project(s)

Not applicable.

Section F—Other Budget Information

Line 21—Use this space and continuation sheets as necessary to fully explain and justify the major items included in the budget categories shown in Section B. Include sufficient detail to facilitate determination of allowability, relevance to the project, and cost benefits. Particular attention must be given to the explanation of any requested direct cost budget item which requires explicit approval by the Federal agency. Budget items which require

identification and justification shall include, but not be limited to, the following:

A. Salary amounts and percentage of time worked for those key individuals who are identified in the project narrative;

B. Any foreign travel;

C. A list of all equipment and estimated cost of each item to be purchased wholly or in part with grant funds which meet the definition of nonexpendable personal property provided on Line 8d, Section B. Need for equipment must be supported in program narrative.

D. Contractual: Major items or groups of smaller items; and

E. Other: group into major categories all costs for consultants, local transportation, space, rental, training allowances, staff training, computer equipment, etc. Provide a complete breakdown of all costs that make up this category.

Line 22—Enter the type of HHS or other Federal agency approved indirect cost rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied and the total indirect expense. Also, enter the date the rate was approved, where applicable. Attach a copy of the rate agreement if it was negotiated with a Federal agency other than the Department of Health and Human Services.

Line 23—Provide any other explanations and continuation sheets required or deemed necessary to justify or explain the budget information.

3. SF-424B "Assurances-Non-Construction"

All applicants must sign and return the "Assurances" with the application.

4. Project Narrative

The project narrative must address the purposes of this Announcement as set forth in Part B. The narrative should provide information on how the application meets the evaluation criteria in Part D, Section 5c of this Program Announcement and should follow the format below:

a. *Eligibility Confirmation.* This section must explain how the applicant has complied with each of the basic requirements listed in Part D, 5b(1)–(6), i.e. (1) that the applicant meets the eligibility requirements; (2) the application clearly targets the specific outcomes and benefits of the project to eligible participants/beneficiaries; (3) the amount of funds requested does not exceed the limits indicated in Part C, Section 2b; (4) the application addresses the purposes described in Part B of the announcement; (5) documentation

regarding cooperative agreements is included; and (6) and a third-party evaluation plan is included.

b. *Analysis of Need.* The application should include a description of the geographic area and population to be served as well as a discussion of the nature and extent of the problem to be solved. It should indicate what the unemployment rates are in the geographic areas to be served and (to the extent practicable) the jobs available and skills necessary to fill those vacancies in such areas. It should also include documentation regarding the number and percentage of individuals receiving Aid to Families with Dependent Children and the total number of individuals which make up the population in the area where the project will operate.

c. Organizational Experience and Staff Responsibilities—(i) Organizational Experience.

Documentation must be provided which addresses the relevance and effectiveness of projects previously undertaken and especially their cost effectiveness, the relevance and effectiveness of any services provided, and the permanent benefits provided to the low-income population. The applicant must address its competence and experience as a deliverer with expertise in the area of technical assistance. Information provided by the applicant must also address related achievements and competence of each cooperating organization or business.

The applicant should describe its organizational structure.

The applicant must also document a firmly established and quantifiable performance record that shows the following:

- The ability to implement major activities such as business development, human development, and/or financial services;
- Successful working relationships within the community including public officials, financial institutions, corporations, other community organizations and residents;
- A sound organizational structure in terms of (a) management stability, and (b) organizational capability;
- An ability to develop and maintain a stable program in terms of business, or community development activities that will provide needed permanent jobs and/or business development opportunities;
- Sound administrative and fiscal systems and controls.

(ii) *Staff Skills, Resources and Responsibilities.* The application must

fully describe (e.g. a resume or position description) the experience and skills of the proposed project director showing that the individual is not only well qualified but that his/her professional capabilities are relevant to the successful implementation of the project.

The application must fully describe the experience and skills of the primary person(s) responsible for conducting the third-party evaluation or, if that person has not yet been identified, include a position description.

The application must include statements regarding who will have the responsibilities of the chief executive officer, who will be responsible for grant coordination with OCS, and how the assigned responsibilities of the staff are appropriate to the tasks identified for the project. It must show clearly that sufficient time of senior staff will be budgeted to assure timely implementation and cost effective management of the project.

The applicant must describe the facilities and resources (i.e. space, equipment, etc.) that it has available to carry out the project.

d. *Work Program*—(i) *General*. The application must contain a detailed and specific work program and Business Plan(s), where appropriate, that are both sound and feasible.

The work program will be evaluated according to Criteria II and IV set forth in Part D of this announcement: Project Implementation and Significant and Beneficial Impact.

Projects funded under this announcement must be designed to produce permanent and measurable results that will reduce the incidence of poverty in the areas targeted. The OCS grant funds, in combination with private and/or other public resources, must be targeted into areas with a high percentage of individuals receiving Aid to Families with Dependent Children. Projects must be designed to achieve the specific goals defined in this Program Announcement.

Each applicant also must include the following in its project design: (1) A description of the method by which the applicant will measure the extent to which eligible participants have achieved greater self-sufficiency; (2) the rationale for the approach being proposed to overcome the problem which will be addressed by the project, an explanation showing how the approach proposed by the applicant is a departure from or a significant modification of previous and current approaches, and why the applicant believes that demonstrating this approach will lead to positive outcomes;

(3) a thorough description of the technical and financial assistance to be provided and other activities that will be carried out to demonstrate the project's ability to meet the goals of this Announcement with inclusion of quarterly target dates by which the major events will occur; (4) inclusion of measurable objectives, intended project outcomes, and intended impact on the problem(s) that are being addressed; and (5) critical issues or potential problems that might impact negatively on the project and how the project objectives will be attained despite such potential problems.

If the rearrangement or alteration of facilities will be required in implementing the project, the applicant must describe and justify such changes. Specific approval from OCS will be required prior to undertaking such changes.

If an applicant is proposing a project which will affect a property listed in, or eligible for inclusion in the National Register of Historic Places, it must identify this property in the narrative and explain how it has complied with the provisions of section 106 of the National Historic Preservation Act of 1966 as amended. If there is any question as to whether the property is listed in or eligible for inclusion in the National Register of Historic Places, the applicant should consult with the State Historic Preservation Officer. (See Attachment D: SF-424B, Item 13 for additional guidelines.) The applicant should contact OCS early in the development of its application for instructions regarding compliance with the Act and data required to be submitted to the Department of Health and Human Services. Failure to comply with the cited Act must result in the application being ineligible for funding consideration.

(ii) *Business Plan*. If the applicant is proposing to use project funds to develop a pre-identified business, the application must include a complete Business Plan where it is appropriate to the project/venture. An application that does not include a Business Plan where one is appropriate may be disqualified and returned to the applicant.

The Business Plan is one of the major components that will be evaluated by OCS to determine the feasibility of an economic development project. It must be well prepared and address all the major issues noted herein.

The following guidelines show what should be included in order to produce a complete and professional Business Plan which makes an orderly presentation of the facts necessary to be judged

responsive to the program announcement.

Because the guidelines were written to cover a variety of possibilities, rigid adherence to them is not possible nor even desirable for all projects. For example, a plan for a service business would not require a discussion of manufacturing nor product design.

The Business Plan should include the following:

1. *The business and its industry*. This section should describe the nature and history of the business and provide some background on its industry.

a. *The Business*. As a legal entity; the general business category;

b. *Description and Discussion of Industry*. Current status and prospects for the industry;

2. *Products and Services*. This section deals with the following:

a. *Description*. Describe in detail the products or services to be sold.

b. *Proprietary Position*. Describe proprietary features if any of the product, e.g. patents, trade secrets.

c. *Potential*. Features of the product or service that may give it an advantage over the competition.

3. *Market Research and Evaluation*. This section should present sufficient information to show that the product or service has a substantial market and can achieve sales in the face of competition.

a. *Customers*. Describe the actual and potential purchasers for the product or service by market segment.

b. *Market Size and Trends*. State the size of the current total market for the product or service offered.

c. *Competition*. An assessment of the strengths and weaknesses of competitive products and services.

d. *Estimated Market Share and Sales*. Describe the characteristics of the product or service that will make it competitive in the current market.

4. *Marketing Plan*. The marketing plan should detail the product, pricing, distribution, and promotion strategies that will be used to achieve the estimated market share and sales projections. The marketing plan must describe what is to be done, how it will be done and who will do it. The plan should address the following topics—Overall Marketing Strategy, Packaging, Service and Warranty, Pricing, Distribution and Promotion.

5. *Design and Development Plans*. If the product, process or service of the proposed venture requires any design and development before it is ready to be placed on the market, the nature and extent and cost of this work should be fully discussed. The section should

cover items such as Development Status and Tasks, Difficulties and Risks, Product Improvement and New Products, and Costs.

6. Manufacturing and Operations Plan. A manufacturing and operations plan should describe the kind of facilities, plant location, space, capital equipment and labor force (part and/or full time and wage structure) that are required to provide the company's product or service.

7. Management Team. The management team is the key in starting and operating a successful business. The management team should be committed with a proper balance of technical, managerial and business skills, and experience in doing what is proposed. This section must include a description of: the key management personnel and their primary duties; compensation and/or ownership; the organizational structure; Board of Directors; management assistance and training needs; and supporting professional services.

8. Overall Schedule. A schedule that shows the timing and interrelationships of the major events necessary to launch the venture and realize its objectives. Prepare, as part of this section, a month-by-month schedule that shows the timing of such activities as product development, market planning, sales programs, and production and operations. Sufficient detail should be included to show the timing of the primary tasks required to accomplish each activity.

9. Critical Risks and Assumptions. The development of a business has risks and problems and the Business Plan should contain some explicit assumptions about them. Accordingly, identify and discuss the critical assumptions in the Business Plan and the major problems that will have to be solved to develop the venture. This should include a description of the risks and critical assumptions relating to the industry, the venture, its personnel, the product's market appeal, and the timing and financing of the venture.

10. Community Benefits. The proposed project must contribute to economic, community and human development within the project's target area. A section that describes and discusses the potential economic and non-economic benefits to low-income members of the community must be included as well as a description of the strategy that will be used to identify and hire low-income individuals not being served by public assistance programs and how linkages with community agencies/organizations administering the JOBS program will be developed if such linkages are not

completely detailed in the cooperative partnership agreement.

11. The Financial Plan. The Financial Plan is basic to the development of a Business Plan. Its purpose is to indicate the project's potential and the timetable for financial self-sufficiency. In developing the Financial Plan, the following exhibits must be prepared for the first three years of the business' operation: (a) Profit and Loss Forecasts—quarterly for each year; (b) Cash Flow Projections—quarterly for each year; (c) pro forma balance sheets—quarterly for each year; (d) initial uses of project funds; and (e) any future capital requirements and sources.

e. Third Party Evaluation. A plan for a methodologically sound third-party (i.e., independent) evaluation of the demonstration project must be included in the application. The applicant must describe the criteria to be used in selecting the third-party evaluator.

The evaluation plan must:

(i) Include provisions for both a process evaluation, which includes written policies and procedures as its base, and an outcome evaluation;

(ii) Include a specific working definition, consistent with the definition contained in Part A.3, that permits the measurement of incremental movement of eligible participants and their families from dependency or reliance on inadequate incomes toward self-sufficiency;

(iii) Include an adequate sample size in both the participant and nonparticipant comparison group as well as a rationale for subject selection;

(iv) Clearly identify the changes (outcome objectives) to be produced, the activities (interventions) that will produce the changes, and the methods (measurement instruments, performance measures, and data collection procedures) for measuring the performance as well as the time and number of measurements and statistical procedures; (NOTE: "Interventions" should be included for the following groups: private employers; eligible participants interested in self-employment ventures; and eligible participants interested in employment opportunities.) and

(v) Include procedures that will be used to (a) compare information about participants and nonparticipants—the comparison groups—and, (b) isolate and systematically assess competing explanations for the observed outcomes. Where the use of comparison groups is not practicable, the applicant must propose an alternative method to validate the accomplishments of the project; and

(vi) Include a realistic plan for disseminating the project findings, once they have been approved by OCS, to other interested organizations or public agencies.

The applicant must include an assurance that the evaluation will be conducted by an independent entity, i.e., an entity organizationally distinct from, and not under the control of, the applicant.

Applicants who anticipate evaluation procurements that will exceed \$10,000 and will be awarded without competition should include a sole source justification in the proposal. For successful applicants, the grant award letter accompanying the Notice of Grant Award will comprise approval of this action.

f. Cooperative Partnership Agreements. A cooperative partnership agreement should be attached to the proposal. The agreement should describe the cooperative relationship between the applicant and the agency responsible for administering the Job Opportunities and Basic Skills (JOBS) training program (as provided for under Title IV of the Social Security Act). The agreement, or letter of intent, must be signed by both parties and must include specific activities and/or actions that each of these entities will carry out over the course of the project period in support of the project. The agreement, or letter of intent, must cover at a minimum activities related to one or more of the mandatory or optional components offered by the appropriate State's JOBS program. The letter of intent must be contingent only on receipt of OCS funds.

Part G—Post Award Information and Reporting Requirements

Following approval of the applications selected for funding, notice of project approval and authority to draw down project funds will be made in writing. The official award document is the Notice of Grant Award which provides the amount of Federal funds approved for use in the project, the budget period for which support is provided, the terms and conditions of the award, and the total project period for which support is contemplated.

Project directors and chief evaluators will be required to attend a national evaluation workshop in Washington, DC which will be scheduled shortly after the effective date of the grant. They also will be required to attend, as presenters, a workshop on utilization and dissemination to be held at the end of the project period.

Grantees will be required to submit quarterly progress and financial reports

(SF 269) as well as a final progress and financial report within 90 days of the expiration of the grant. Interim evaluation reports, along with the written policies and procedures which served as a basis for the process evaluation, will be due 30 days after the first twelve months and the second twelve months, and a final evaluation report will be due 180 days after the expiration of the grant. This final report will cover 39 months of activities related to project participants.

Grantees are subject to the audit requirements in 45 CFR parts 74 and 92.

Section 319 of Public Law 101-121, signed into law on October 23, 1989, imposes new prohibitions and requirements for disclosure and certification related to lobbying on recipients of Federal contracts, grants, cooperative agreements, and loans. It provides limited exemptions for Indian tribes and tribal organizations. Current and prospective recipients (and their subtier contractors and/or grantees) are prohibited from using appropriated funds for lobbying Congress or any Federal agency in connection with the award of a contract, grant, cooperative agreement or loan. In addition, for each award action in excess of \$100,000 (or \$150,000 for loans) the law requires recipients and their subtier contractors and/or subgrantees (1) to certify that they have neither used nor will use any appropriated funds for payment to lobbyists, (2) to submit a declaration setting forth whether payments to lobbyists have been or will be made out

of nonappropriated funds and, if so, the name, address, payment details, and purpose of any agreements with such lobbyists whom recipients or their subtier contractors or subgrantees will pay with the nonappropriated funds and (3) to file quarterly up-dates about the use of lobbyists if any event occurs that materially affects the accuracy of the information submitted by way of declaration and certification. The law establishes civil penalties for noncompliance and is effective with respect to contracts, grants, cooperative agreements and loans entered into or made on or after December 23, 1989. See Attachment H for certification and disclosure forms to be submitted with the applications for this program.

Attachment I indicates the regulations which apply to all applicants/grantees under the Discretionary Grants Program.

Dated: May 24, 1990.

Eunice S. Thomas,

Director, Office of Community Services.

Attachment A—1990 Poverty Income Guidelines for All States (Except Alaska and Hawaii) and the District of Columbia

Size of family unit	Poverty guideline
1	\$6,280
2	8,420
3	10,560
4	12,700
5	14,840
6	16,980
7	19,120

Size of family unit	Poverty guideline
8	21,260

For family units with more than 8 members, add \$2,140 for each additional member.

Poverty Income Guidelines for Alaska

Size of family unit	Poverty guideline
1	\$7,840
2	10,520
3	13,200
4	15,880
5	18,560
6	21,240
7	23,920
8	26,600

For family units with more than 8 members, add \$2,680 for each additional member.

Poverty Income Guidelines for Hawaii

Size of family unit	Poverty guideline
1	\$7,230
2	9,690
3	12,150
4	14,610
5	17,070
6	19,530
7	21,990
8	24,450

For family units with more than 8 members, add \$2,460 for each additional member.

BILLING CODE 4150-05-M

ATTACHMENT B—SF-424—Application for Federal Assistance

OMB Approval No. 0345-0043

APPLICATION FOR
FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED		Applicant Identifier	
Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name:			Organizational Unit:		
Address (give city, county, state, and zip code):			Name and telephone number of the person to be contacted on matters involving this application (give area code):		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): [] [] - [] [] [] [] [] [] [] []			7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) _____		
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____			9. NAME OF FEDERAL AGENCY:		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: [] [] [] [] [] [] [] [] [] [] TITLE: _____			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:		
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):					
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF			
Start Date	Ending Date	a. Applicant b. Project			
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?			
a. Federal	\$.00	a. YES THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE _____			
b. Applicant	\$.00	b. NO <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372			
c. State	\$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW			
d. Local	\$.00				
e. Other	\$.00				
f. Program Income	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?			
g. TOTAL	\$.00	<input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED					
a. Typed Name of Authorized Representative		b. Title		c. Telephone number	
d. Signature of Authorized Representative				e. Date Signed	

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Standard Form 424 (REV 4-88)
Prescribed by OMB Circular A-102

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

- | Item: | Entry: | Item: | Entry: |
|-------|--|-------|--|
| 1. | Self-explanatory. | 12. | List only the largest political entities affected (e.g., State, counties, cities). |
| 2. | Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable). | 13. | Self-explanatory. |
| 3. | State use only (if applicable). | 14. | List the applicant's Congressional District and any District(s) affected by the program or project. |
| 4. | If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank. | 15. | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate <u>only</u> the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |
| 5. | Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application. | 16. | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. |
| 6. | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service. | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| 7. | Enter the appropriate letter in the space provided. | 18. | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |
| 8. | Check appropriate box and enter appropriate letter(s) in the space(s) provided:
— "New" means a new assistance award.
— "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
— "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. | | |
| 9. | Name of Federal agency from which assistance is being requested with this application. | | |
| 10. | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested. | | |
| 11. | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project. | | |

ATTACHMENT C—SF-424A—Budget Information

OMB Approval No. 0348-0044

BUDGET INFORMATION — Non-Construction Programs

SECTION A — BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$

SECTION B — BUDGET CATEGORIES						
Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY					Total (5)
	(1)	(2)	(3)	(4)	(5)	
a. Personnel	\$	\$	\$	\$	\$	\$
b. Fringe Benefits						
c. Travel						
d. Equipment						
e. Supplies						
f. Contractual						
g. Construction						
h. Other						
i. Total Direct Charges (sum of 5a - 5h)						
j. Indirect Charges						
k. TOTALS (sum of 6i and 6j)	\$	\$	\$	\$	\$	\$
7. Program Income	\$	\$	\$	\$	\$	\$

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Standard Form 424A (4-88)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
2.	\$	\$	\$	\$	
9.					
10.					
11.					
12. TOTALS (sum of lines 8 and 11)	\$	\$	\$	\$	

SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	FUTURE FUNDING PERIODS (Years)			
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT				
(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTALS (sum of lines 16-19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION (Attach additional Sheets if Necessary)	
21. Direct Charges:	22. Indirect Charges:
23. Remarks	

INSTRUCTIONS FOR THE SF-424A

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary
Lines 1-4, Columns (a) and (b)

For applications pertaining to a *single* Federal grant program (Federal Domestic Assistance Catalog number) and *not requiring* a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a *single* program *requiring* budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to *multiple* programs where one or more programs *require* a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g.) (continued)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

Lines 1-4, Columns (c) through (g.) (continued)

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5 — Show the totals for all columns used.

Section B Budget Categories

In the column headings (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a-l — Show the totals of Lines 6a to 6h in each column.

Line 6j — Show the amount of indirect cost.

Line 6k — Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

INSTRUCTIONS FOR THE SF-424A (continued)

Line 7 - Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8-11 - Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a) - Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b) - Enter the contribution to be made by the applicant.

Column (c) - Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d) - Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e) - Enter totals of Columns (b), (c), and (d).

Line 12 - Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13 - Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14 - Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15 - Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16 - 19 - Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20 - Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21 - Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22 - Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23 - Provide any other explanations or comments deemed necessary.

ATTACHMENT D—Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

ASSURANCES — NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

Standard Form 424B (4-88)
Prescribed by OMB Circular A-102

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10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

BILLING CODE 4150-05-C

Attachment E—U.S. Department of Health and Human Services Certificate Regarding Drug-Free Workplace Requirements Grantees Other Than Individuals

By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR part 76, subpart F. The regulations, published in the January 31, 1989 Federal Register, require certification by grantees that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the U.S. Department of Health and Human Services determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of the grant, or governmentwide suspensions or debarment.

A. The grantee certifies that it will provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Make it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and

(2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee shall insert in the space provided below, the site(s) for the performance of work done in connection with the specific grant (Street address, city, county, State, Zip Code):

Attachment F—Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

By signing and submitting this proposal, the applicant, defined as the primary participant in accordance with 45 CFR part 76, certifies to the best of its knowledge and belief that its principals involved:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a 3-year period preceding this application/ proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

The inability of a person to provide the certification required above will not necessarily result in denial of participation for this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction. The prospective primary participant agrees that by submitting this proposal, it will include the clause entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions", provided below, without modification in all lower tier covered transactions and in all solicitations for lower tier covered actions.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusions—Lower Tier Covered Transactions (To Be Supplied to Lower Tier Participants)

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transactions by any Federal department or agency;

(b) Where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

The prospective lower tier participant further agrees by submitting this proposal that it will include this clause entitled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusions—Lower Tier Covered Transactions" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

Attachment G—State Single Points of Contact

Alabama

Mrs. Moncell Thornell,
State Single Point of Contact,
Alabama Department of Economic &
Community Affairs,
3465 Norman Bridge Road,
Post Office Box 250347,
Montgomery, Alabama 36125-0347,
Telephone (205) 284-8905.

Arizona

Ms. Janice Dunn,
Arizona State Clearinghouse,
1700 West Washington Avenue,
Fourth Floor,
Phoenix, Arizona 85007,
Telephone (602) 542-5004.

Arkansas

Mr. Joseph Gillespie,
Manager, State Clearinghouse,
Office of Intergovernmental Service,
Department of Finance and Administration,
P.O. Box 3278,
Little Rock, Arkansas 72203,
Telephone (501) 371-1074.

California

Glenn Stober,
Grants Coordinator,
Office of Planning and Research,
1400 Tenth Street,
Sacramento, California 95814,
Telephone (916) 323-7480.

Colorado

State Single Point of Contact,
State Clearinghouse,
Division of Local Government,
1313 Sherman Street, Room 520,
Denver, Colorado 80203,
Telephone (303) 866-2156.

Connecticut

Under Secretary,
Attn: Intergovernmental Review Coordinator,
Comprehensive Planning Division,
Office of Policy and Management,
80 Washington Street,
Hartford, Connecticut 06106-4459,
Telephone (203) 566-3410.

Delaware

Francine Booth,
State Single Point of Contact,
Executive Department,
Thomas Collins Building,
Dover, Delaware 19903,
Telephone (302) 736-3326.

District of Columbia

Lovetta Davis,
State Single Point of Contact,
Executive Office of the Mayor,
Office of Intergovernmental Relations,
Room 416, District Building,
1350 Pennsylvania Avenue, NW.,
Washington, DC 20004,
Telephone (202) 727-9111.

Florida

George H. Meier,
Director of Intergovernmental Coordination,
Director, Florida State Clearinghouse,
Executive Office of the Governor,
Office of Planning and Budgeting,
Growth Management and Planning Policy
Unit,
The Capitol,
Tallahassee, Florida 32399-0001,
Telephone (904) 488-8114.

Georgia

Charles H. Badger,
Administrator,
Georgia State Clearinghouse,
270 Washington Street, S.W.,
Atlanta, Georgia 30334,
Telephone (404) 656-3855.

Hawaii

Mr. Harold S. Masumoto,
Acting Director,
Office of State Planning,
Department of Planning and Economic
Development,
Office of the Governor,
State Capitol,
Honolulu, Hawaii 96813,
Telephone (808) 548-3018 or 548-3085.

Illinois

Tom Berkshire,
State Single Point of Contact,
Office of the Governor,
State of Illinois,
Springfield, Illinois 62706,
Telephone (217) 782-8639.

Indiana

Frank Sullivan,
Budget Director,
State Budget Agency,
212 State House,
Indianapolis, Indiana 46204,
Telephone (317) 232-5810.

Iowa

Steven R. McCann,
Division for Community Progress,
Iowa Department of Economic Development,
200 East Grand Avenue,

Des Moines, Iowa 50309,
Telephone (515) 281-3725.

Kentucky

Robert Leonard,
State Single Point of Contact,
Kentucky State Clearinghouse,
2nd Floor Capital Plaza Tower,
Frankfort, Kentucky 40601,
Telephone (502) 564-2382.

Louisiana

Robin Hote,
Division of Administration,
Office of State Clearinghouse,
P.O. Box 94095,
Baton Rouge, Louisiana 70804-9095,
Telephone (504) 342-7006.

Maine

State Single Point of Contact,
Attn: Joyce Benson,
State Planning Office,
State House Station #38,
Augusta, Maine 04333,
Telephone (207) 289-3261.

Maryland

Mary Abrams,
Director,
Maryland State Clearinghouse,
Department of State Planning,
301 West Preston Street,
Baltimore, Maryland 21201-2365,
Telephone (301) 225-4490.

Massachusetts

State Single Point of Contact,
Attn: Beverly Boyle,
Executive Office of Communities &
Development,
100 Cambridge Street, Room 904,
Boston, Massachusetts 02202,
Telephone (617) 727-3253.

Michigan

Michelyn Pasteur,
Deputy Director,
Local Development Services,
Department of Commerce,
P.O. Box 30225,
Lansing, Michigan 48903,
Telephone (517) 375-1838.
Please direct correspondence to:
Manager,
Federal Project Review System,
6500 Merchantile Way, Suite 2,
Lansing, Michigan 48911,
Telephone (517) 334-6190.

Mississippi

Cathy Mallette,
Governor's Office of Federal State Programs,
Department of Planning and Policy,
421 West Pascagoula Street,
Jackson, Mississippi 39206,
Telephone (601) 960-4282.

Missouri

Lois Pohl,
Federal Assistance Clearinghouse,
Office of Administration,
Division of General Services,
P.O. Box 809,
Room 430, Truman Building,
Jefferson City, Missouri 65102,
Telephone (314) 751-4834.

Montana

Deborah Davis,

State Single Point of Contact,
Intergovernmental Review Clearinghouse,
c/o Office of Lieutenant Governor,
Capitol Station,
Room 210—State Capitol,
Helena, Montana 59620,
Telephone (406) 444-5522.

Nevada

Jean Ford,
Nevada Office of Community Services,
Capitol Complex,
Carson City, Nevada 89710,
Telephone (702) 885-4420.

Please direct correspondence and questions
to:

John Walker,
Clearinghouse Coordinator.

New Hampshire

Robert W. Varney,
Director,
New Hampshire Office of State Planning,
Attn: Intergovernmental Review Process/
James E. Bieber,
2½ Beacon Street,
Concord, New Hampshire 03301,
Telephone (603) 271-2155.

New Jersey

Barry Skokowski,
Director,
Division of Local Government Services,
Department of Community Affairs, CN 803,
Trenton, New Jersey 08625-0803,
Telephone (609) 292-8613.

Please direct correspondence and questions
to:

Nelson S. Silver,
State Review Process,
Division of Local Government Services, CN
803,
Trenton, New Jersey 08625-0803,
Telephone (609) 292-9025.

New Mexico

Dean Olson,
Director,
Management & Program Analysis Division,
Department of Finance & Administration,
Room 424, State Capitol Building,
Santa Fe, New Mexico 87503,
Telephone (505) 827-3885.

New York

New York State Clearinghouse, Division of
the Budget, State Capitol, Albany, New
York 12224, Telephone (518) 474-1605

North Carolina

Mrs. Chrys Baggett, Director,
Intergovernmental Relations, N.C.
Department of Administration, 116 W.
Jones Street, Raleigh, North Carolina 27611,
Telephone (919) 733-0499

North Dakota

William Robinson, State Single Point of
Contact, Office of Intergovernmental
Affairs, Office of Management and Budget,
14th Floor, State Capitol, Bismarck, North
Dakota 58505, Telephone (701) 224-2994

Ohio

Larry Weaver, State Single Point of Contact,
State/Federal Funds Coordinator, State
Clearinghouse, Office of Budget and
Management, 30 East Broad Street, 34th

Floor, Columbus, Ohio 43266-0411,
Telephone (614) 466-0698

Oklahoma
Don Strain, State Single Point of Contact,
Oklahoma Department of Commerce,
Office of Federal Assistance Management,
P.O. Box 26980, Oklahoma City, Oklahoma
73126, Telephone (405) 843-9770

Oregon
Attn: Delores Streeter, State Single Point of
Contact, Intergovernmental Relations
Division, State Clearinghouse, 155 Cottage
Street, N.E., Salem, Oregon 97310,
Telephone (503) 373-1998

Pennsylvania
Laine A. Heltebride, Special Assistant,
Pennsylvania Intergovernmental Council,
P.O. Box 11880, Harrisburg, Pennsylvania
17108, Telephone (717) 783-3700

Rhode Island
Daniel W. Varin, Associate Director,
Statewide Planning Program, Department
of Administration, Division of Planning, 265
Melrose Street, Providence, Rhode Island
02907, Telephone (401) 277-2656
Please direct correspondence and
questions to: Review Coordinator, Office of
Strategic Planning.

South Carolina
Danny L. Cromer, State Single Point of
Contact, Grant Services, Office of the
Governor, 1205 Pendleton Street, Room 477,
Columbia, South Carolina 29201, Telephone
(803) 734-0435

South Dakota
Susan Comer, State Clearinghouse
Coordinator, Office of the Governor, 500
East Capitol, Pierre, South Dakota 57501,
Telephone (605) 773-3212

Tennessee
Charles Brown, State Single Point of Contact,
State Planning Office, 500 Charlotte
Avenue, 309 John Sevier Building,
Nashville, Tennessee 37219, Telephone
(615) 741-1676

Texas
Thomas C. Adams, Office of Budget and
Planning, Office of the Governor, P.O. Box
12428, Austin, Texas 78711, Telephone (512)
463-1778

Utah
Dale Hatch, Director, Office of Planning and
Budget, State of Utah, 116 State Capitol
Building, Salt Lake City, Utah 84114,
Telephone (801) 533-5245

Vermont
Bernard D. Johnson, Assistant Director,
Office of Policy Research & Coordination,
Pavilion Office Building, 109 State Street,
Montpelier, Vermont 05602, Telephone
(802) 828-3326

Washington
Catherine Townley,
Coordinator,
Intergovernmental Review Process,
Department of Community Development,
9th and Columbia Building,
Olympia, Washington 98504-4151,
Telephone (206) 753-4978

West Virginia
Fred Cutlip,
Director,
Community Development Division,
Governor's Office of Community and
Industrial Development,
Building #6, Room 553,
Charleston, West Virginia 25305,
Telephone (304) 348-4010

Wisconsin
James R. Klausner,
Secretary,
Wisconsin Department of Administration,
101 South Webster Street, GEF 2,
P.O. Box 7864,
Madison, Wisconsin 53707-7864,
Telephone (608) 266-1741
Please direct correspondence and
questions to:
Thomas Krauskopf,
Federal-State Relations Coordinator,
Wisconsin Department of Administration.

Wyoming
Ann Redman,
State Single Point of Contact,
Wyoming State Clearinghouse,
State Planning Coordinator's Office,
Capitol Building,
Cheyenne, Wyoming 82002,
Telephone (307) 777-7574

Territories

Guam
Michael J. Reidy,
Director,
Bureau of Budget and Management Research,
Office of the Governor,
P.O. Box 2950,
Agana, Guam 96910,
Telephone (671) 472-2285

Northern Mariana Islands
State Single Point of Contact,
Planning and Budget Office,
Office of the Governor,
Saipan, CM,
Northern Mariana Islands 96950

Puerto Rico
Patria Custodio/Israel Soto Marrero,
Chairman/Director,
Puerto Rico Planning Board,
Minillas Government Center,
P.O. Box 41119,
San Juan, Puerto Rico 00940-9985,
Telephone (809) 727-4444

Virgin Islands
Jose L. George,
Director,
Office of Management and Budget,
No. 32 and 33 Kongens Gade,
Charlotte Amalie, V.I. 00802,
Telephone (809) 774-0750

Attachment H—Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his
or her knowledge and belief, that:

(1) No Federal appropriated funds have
been paid or will be paid, by or on behalf of
the undersigned, to any person for influencing
or attempting to influence an officer or

employee of any agency, a Member of
Congress, an officer or employee of Congress,
or an employee of a Member of Congress in
connection with the awarding of any Federal
contract, the making of any Federal grant, the
making of any Federal loan, the entering into
of any cooperative agreement, and the
extension, continuation, renewal,
amendment, or modification of any Federal
contract, grant, loan, or cooperative
agreement.

(2) If any funds other than Federal
appropriated funds have been paid or will be
paid to any person for influencing or
attempting to influence an officer or
employee of any agency, a Member of
Congress, an officer or employee of Congress,
or an employee of a Member of Congress in
connection with this Federal contract, grant,
loan, or cooperative agreement, the
undersigned shall complete and submit
Standard Form-LLL, "Disclosure Form to
Report Lobbying," in accordance with its
instructions.

(3) The undersigned shall require that the
language of this certification be included in
the award documents for all subawards at all
tiers (including subcontracts, subgrants, and
contracts under grants, loans, and
cooperative agreements) and that all
subrecipients shall certify and disclose
accordingly.

This certification is a material
representation of fact upon which reliance
was placed when this transaction was made
or entered into. Submission of this
certification is a prerequisite for making or
entering into this transaction imposed by
section 1352, title 31, U.S. Code. Any person
who fails to file the required certification
shall be subject to a civil penalty of not less
than \$10,000 and not more than \$100,000 for
each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or
her knowledge and belief, that:

If any funds have been paid or will be paid
to any person for influencing or attempting to
influence an officer or employee of any
agency, a Member of Congress, an officer or
employee of Congress, or an employee of a
Member of Congress in connection with this
commitment providing for the United States
to insure or guarantee a loan, the undersigned
shall complete and submit Standard Form-
LLL, "Disclosure Form to Report Lobbying,"
in accordance with its instructions.

Submission of this statement is a
prerequisite for making or entering into this
transaction imposed by section 1352, title 31,
U.S. Code. Any person who fails to file the
required statement shall be subject to a civil
penalty of not less than \$10,000 and not more
than \$100,000 for each such failure.

Signature

Title

Organization

Date

BILLING CODE 4150-05-M

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: _____	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____	
6. Federal Department/Agency: _____	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known: _____	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI): <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		
b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		
<i>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</i>		
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: <div style="border: 1px solid black; height: 150px; width: 100%;"></div>		
<i>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</i>		
15. Continuation Sheet(s) SF-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET**

Approved by OMB
0348-0046

Reporting Entity: _____ Page _____ of _____

Attachment I—DHHS Regulations Applicable to All Applicants/Grantees

The following DHHS regulations apply to all applicants/grantees under the Jobs Opportunities Low-Income Individuals Program.

Title 45 of the Code of Federal Regulations:

Part 16—Procedures of the Departmental Grant Appeals Board

Part 74—Administration of Grants (non-governmental)

Part 74—Administration of Grants (state and local governments and Indian Tribal affiliates):

Sections 74.62(a) Non-Federal Audits

74.173 Hospitals

74.174(b) Other Nonprofit

Organizations

74.304 Final Decisions in Disputes

74.710 Real Property, Equipment

and Supplies

74.715 General Program Income

Part 75—Informal Grant Appeal Procedures

Part 76—Debarment and Suspension from Eligibility for Financial Assistance

Subpart F—Drug Free Workplace Requirements

Part 80—Non-discrimination

Under Programs Receiving Federal Assistance through the Department of Health and Human Services

Effectuation of title VI of the Civil Rights Act of 1964

Part 81—Practice and Procedures for Hearings Under part 80 of this title

Part 83—Nondiscrimination on the basis of sex in the admission of individuals to training programs

Part 84—Non-discrimination on the Basis of Handicap in Programs

Part 91—Non-discrimination on the Basis of Age in Health and Human Services Programs or Activities Receiving Federal Financial Assistance

Part 92—Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments (Federal Register, March 11, 1988)

Part 100—Intergovernmental Review of Department of Health and Human Services Programs and Activities

Attachment J—Checklist for Use in Submitting OCS Grant Applications (Optional)

The application should contain:

1. A completed, signed SF-424, "Application for Federal Assistance. The letter code for the priority area (JO) should be in the lower right-hand corner of the page.
2. A completed SF-424A, "Budget Information—Non-Construction".
3. A signed SF-424B, "Assurances—Non-Construction"
4. A Project Narrative beginning with a Table of Contents that describes the project in the following order:

- (a) Eligibility Confirmation
- (b) Analysis of Need
- (c) Organizational Experience and Staff Responsibilities
- (d) Work Program/ Business Plan
- (e) Third Party Evaluation
- (f) Appendices, including proof of non-profit status, Bylaws, Articles of Incorporation, SPOC comments (where applicable), resumes
5. A signed copy of "Certification Regarding Anti-Lobbying Activities".
6. A signed copy of the Cooperative Partnership Agreement or letter of intent.
7. A completed Disclosure of Lobbying Activities, if applicable.
8. A self-addressed mailing label which can be affixed to a postcard to acknowledge receipt of application.

The application should not exceed a total of 50 pages. It should include one original and four identical copies, printed on white 8½ by 11 inch paper, and be presented in ring binder.

The applicant must be aware that in signing and submitting the application for this award, it is certifying that it will comply with the Federal requirements concerning the drug-free workplace and debarment regulations set forth in attachments E and F. [FR Doc. 90-12519 Filed 5-30-90; 8:45 am]

BILLING CODE 4150-05-M

NOTICE

**Thursday
May 31, 1990**

Part VII

**Department of
Health and Human
Services**

**Grants for Community Coalition to
Support Health and Human Service
Needs of Minority Males; Notice**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Grants for Community Coalition Projects to Support Health and Human Service Needs of Minority Males

ACTION: Program Announcement, Eligibility Requirements, and Review Criteria.

SUMMARY: The Department of Health and Human Services (HHS) announces that applications are being accepted for grants for projects focusing on ways to improve health and human services to minority males at high risk of: (1) Health problems such as alcohol, tobacco or other chemical dependency; homicide, suicide, and unintentional injuries; or HIV infection and sexually transmitted diseases; mental health problems; and (2) social problems such as unemployment, undereducation, poor social development, homelessness, family dysfunction child abuse and neglect, delinquency, criminal backgrounds, teenage pregnancy and fatherhood. The program is a jointly funded effort of HHS operating divisions including the Family Support Administration, Health Care Financing Administration, Office of Human Development Services, Public Health Service, and Social Security Administration. In Fiscal Year (FY) 1990 funds are available for (1) grants for conferences on minority male service issues and (2) grants for development of community coalitions to meet health and human service needs of minority males. Applications also are being accepted for grants that would be funded in FY 1991 to support community coalition demonstration projects. These grant programs will be conducted under authority of section 301 and Title XVII of the Public Health Service Act and sections 426(a)(1) and 1110 of the Social Security Act.

AVAILABILITY OF FUNDS: The Department of Health and Human Services intends to make available approximately \$1.5 million in FY 1990 for conference grants and coalition development grants under this announcement. The specific amount expended will depend on the merit and scope of the proposed projects and the total funds available.

Approximately \$450,000 will be available for conference grants to be obligated over 1-year project periods. It is anticipated that approximately 22-30 conference grants (up to \$20,000 per grant) will be awarded by September 30, 1990.

Approximately \$1,050,000 will be available for coalition development grants to be obligated over 1-year

project periods. It is expected that approximately 21 coalition development grants (up to \$50,000 per grant) will be awarded by September 30, 1990.

As of this date, the appropriation for FY 1991 has not been determined. The announcement that applications are being accepted for grants that would be awarded in FY 1991 to support community coalition demonstration projects is being made as a contingency action to ensure that grants can be awarded in a timely fashion should funds become available.

ADDRESSES. Program information and technical assistance are available from: Project Officer, Office of Minority Health, PHS, DHHS, 200 Independence Avenue, SW., room 718E, Washington, DC 20201-0001, telephone (202) 245-7366. To provide 24-hour coverage, calls to this number may be received by an answering machine.

Application materials are available from the questions on administration of grants may be directed to: Grants Management Officer, Office of Minority Health, PHS, DHHS, 200 Independence Avenue, SW., room 718E, Washington, DC 20201-0001, telephone (202) 245-7366.

Prospective applicants should request and complete application form PHS 5161-1. This application has been submitted to the Office of Management and Budget and approved under number 0937-0189. However, there are some additional information collections associated with the applications in this notice that have not been submitted to and approved by OMB as required by the Paperwork Reduction Act of 1983.

Completed applications should be sent to: Grants Management Officer, Office of Minority Health, PHS, DHHS, 200 Independence Avenue, SW., room 718E, Washington, DC 20201-0001, telephone (202) 245-7366.

DATES: The deadline for receipt of applications for conference grants and community coalition development grants is 5:30 p.m. (E.T.) on July 17, 1990. The deadline for receipt of applications for community coalition demonstration grants is 5:30 p.m. (E.T.) on September 28, 1990. Applications will be considered as meeting the deadline if they are either:

- (1) Received at the above address on or before the deadline date, or
- (2) Sent to the above address on or before the deadline date and received in time for orderly processing.

Applicants should request a legibly dated U.S. Postal Service postmark or obtain a legibly dated receipt from a commercial carrier or the U.S. Postal Service. Private metered postmarks will

not be accepted as proof of timely mailing.

Late Applications

Applications which do not meet the deadline criteria specified above will be considered late applications and will be returned to the applicant without being processed.

Application Forms

Prospective applicants should request and complete application form PHS 5161-1. The narrative section should be written in a manner that is self-explanatory to nonfederal reviewers unfamiliar with prior related activities of the applicant. It must be well organized and contain the information necessary for reviewers to understand the project. Appendices may be attached for specialized materials but should not be used to extend the narrative. Applications should be indexed.

The program narrative may not exceed a total length of five single-spaced pages for conference grant applications or 20 single-spaced pages for coalition development and coalition demonstration grant applications. Applications exceeding these page limits for the narrative section will be considered nonconforming and will not be accepted for review. Because the application will be copied for the reviewers, bound or two-sided documents should not be submitted. Narrative pages should not be photoreduced.

You must submit an original and two copies of your complete applications. To assist the grant review process, it would be helpful if you submitted four extra copies of the application (for a total of six).

Use of Grant Funds

For-profit organizations receiving grants will not be provided with a fee or profit. This applies to all grants made under this announcement.

Indirect costs will not be allowed for conference grants.

Purposes for Which Funds May Be Expended

Grant funds must be used solely for the purpose described in the approved application.

Grant funds may be used for personnel, equipment, supplies, domestic travel, and other costs directly related to the project described in the approved application, as provided for in the PHS Grants Policy Statement.

Purposes for Which Funds May Not Be Expended

Grant funds may not be used for construction of facilities, including additions and extensions; acquisition of land; or any costs prohibited by the cost principles in 45 CFR, parts 74 and 92. Grant funds may not be used for sectarian instruction or any religious purpose.

Eligible Applicants

For all grants made under this announcement, eligible applicants are public and private nonprofit and for-profit organizations, Indian tribes, and Indian tribal organizations. Grants to for-profit organizations will be awarded only under authority of section 301 of the Public Health Service Act and section 1110 of the Social Security Act. The applicant is responsible for management of the project and will serve as the fiscal agent for the Federal funds awarded.

Coalition Development Grants

Eligible applicants may be community coalitions, as described in this announcement. In addition, a single organization may apply for a grant on behalf of two or more entities, but must provide documentation of each organization's commitment to develop a community coalition to carry out the proposed project.

Coalition Demonstration Grants

Eligible applicants must be community coalitions as described in this announcement. A single organization may apply for a grant on behalf of a coalition, but must provide documentation of the coalition's commitment to the proposed project.

SUPPLEMENTARY INFORMATION: This program announcement consists of three parts. Part I outlines requirements for grants for conferences on minority male health and human service issues. Part II outlines requirements for grants to develop community coalitions that will address these issues. Part III outlines requirements for grants for community coalition demonstration projects that will improve health and human services to high-risk populations of minority males.

Program Background

There are a multitude of health and social problems afflicting minority males in America today. For example, at a time when life expectancy for most Americans is increasing, it is not improving for black men, declining from 65.3 years in 1985 to 65.2 years in 1987. The leading cause of death for black

males under age 45 is homicide. For black males 15 to 24 years old, the death rate for homicide increased 39 percent between 1984 and 1987 and is seven times the rate for white males in the same age group. Black males suffer disproportionate rates of hypertension and drug addiction. Black men are more likely to smoke than women or white men, and they have substantially higher death rates from respiratory cancer. Black men die from chronic liver disease and cirrhosis at nearly twice the rate of white men and two to five times the rate of black or white women. As many as 25 percent of young black men may be in jail or on parole, according to a study supported by the Department of Justice. The rates for school drop-outs, blacks living in poverty, families maintained by single parents, teen pregnancy, and black unemployment are dramatically higher than for whites and show no significant signs of improvements.

While data tend to be more extensive on black males, similar problems confront Hispanics, Native Americans, and some Asian American-Pacific Islanders, particularly with regard to poverty, violence, single parent households, school drop-out rates, delinquency, and unemployment. Health status indicators are little better. In the Southwest, Hispanic men are homicide victims at four times the rate of non-Hispanic white men. Homicide rates among Native Americans exceed national rates by about 70 percent. Alcohol and drug dependency are comparably severe. Young Hispanic men report more heavy drinking and higher rates of alcohol-related problems than young non-Hispanic white men, while alcohol use is implicated in 80 percent of suicides and 75 percent of all deaths in the Native American population. Hispanic males over the age of 13, like black males of comparable age, have higher rates of AIDS than the majority population.

These factors suggest that communities with minority populations subject to such combinations of severe health and social problems could benefit considerably from focused outreach efforts, involving both health and social service providers, that make special efforts to reach at-risk minority males.

The 1985 Report of the Secretary's Task Force on Black and Minority Health included a nationwide survey to elicit information on ways the Department might improve the health status of minority Americans. As part of the survey, respondents highlighted specific examples of successful community programs and identified key elements of that success. The key elements cited were comprehensive

services; program ability to improve minority access to health and social services; and cultural sensitivity to the group being served. Other elements of success included networking with other agencies in the community and control of these programs by community boards.

The problems confronted by minority males are highly complex and interwoven, and include attitudes, behaviors, and perceptions about male/female relationships on the part of both men and women. These problems have attracted the attention of a wide range of governmental and nongovernmental bodies, including foundations and other private-sector organizations. No single solution or intervention, whether job training, education, or an anti-drug activity, is likely to be as effective by itself as it would in combination with others. Not only are multiple resources necessary to support the health and development of minority males, but no single program or complex of programs is likely to be effective without the support of family, community, or an interested individual willing to serve as a mentor or role model.

Thus, in addition to outreach and service activities mounted by governmental and voluntary agencies, an effective program should seek opportunities to empower community residents and local organizations to be active participants in creating solutions to these problems. Such an approach would not only improve the lives of individuals, but the vitality and capacity for self-determination of the entire community.

In order to address the range of complex problems, these grant programs have been devised to allow maximum flexibility in developing community solutions. They would support innovative projects that are fashioned by the community and build upon existing groups and institutions that can provide support to high-risk minority males.

Linkages among a variety of public and private organizations will be encouraged in the conduct of these activities in combinations appropriate to the needs of populations targeted by the community for support. Possible participants in activities directed toward youth service needs may include, among others:

- Pre-school, Head Start, or elementary and secondary educational programs;
- Counseling programs, including those involving male and female mentors, role models, or peer counselors;
- Religious institutions;

- Civic, fraternal, community-based, and other volunteer organizations;
- Medicaid, Medicare, and other payors of health care;
- Community hospitals, clinics and health care providers;
- Runaway and homeless youth services;
- Child welfare services, including foster care and adoption services;
- Collegiate, graduate, and postgraduate educational programs in health or social sciences;
- Business enterprises or organizations;
- Job training programs;
- State, county, or local health or social service agencies;
- Criminal justice and law enforcement organizations.

To the extent possible, activities should be linked to other federally supported health and human services projects serving the targeted populations and geographical areas.

These grant programs are part of a Department-wide effort to address the multiple health and human service needs of minority males.

Definitions

For the purpose of this grant program, the following definitions are provided:

(1) *Health Problem Areas*—selected priority issue areas identified in the Secretary's Task Force report or by the Office of Minority Health: (a) Alcohol, tobacco or other chemical dependency; (b) homicide, suicide and unintentional injuries; and (c) HIV infection/AIDS and sexually transmitted diseases.

(2) *Human Service Problems*—selected priority issues: (1) Unemployment or underemployment; (2) homelessness, runaway, or "throwaway" status; (3) school dropout; (4) child abuse or neglect; (5) juvenile or criminal justice records; (6) teenage pregnancy and fatherhood; (7) family dysfunction; and (8) lack of adequate health insurance.

(3) *Risk Factors*—the environmental and behavioral influences capable of causing ill health with or without previous predisposition. The term "risk factor" is also used to denote an aspect of personal lifestyle and behavior known, on the basis of epidemiological evidence, to be associated with one or more diseases or health conditions considered important to prevent. These include poor dietary habits, obesity, severe emotional stress, depression, poor conflict resolution skills, abuse of alcohol, tobacco, and drugs, high risk sexual practices, (e.g., unprotected intercourse, with multiple partners), environmental hazards, and others.

(4) *Community*—a defined geographical area in which persons live, work, and recreate characterized by: (a) Formal and informal communication channels; (b) formal and informal leadership structures for the purpose of maintaining order and improving their conditions; and (c) its capacity to serve as a focal point for addressing societal needs including health needs.

(5) *Community Coalition*—the coming together of individuals from and representatives of public or private organizations in a community for the purpose of collaborating on specific community concerns, and seeking resolution of those concerns. For purposes of this grant program, community coalitions are characterized by the six elements listed below.

A community coalition:

- Assumes a variety of interests converging on an agreed-upon mission.
- Requires resource participation.

Each member organization brings certain resources to the coalition to enable the coalition to accomplish its mission.

- Requires that each member organization has a specific role within the coalition. This role, defined by the individual member, is distinctive among the other members. Use of resources may be one way of defining each role.

• Requires that each member organization establish both a relationship with the coalition as an entity (vertical relationship) and with other members of the coalition (horizontal relationship). Members must be able and willing to work with one another. Formalizing these relationships to make explicit the specified roles may be achieved through development of memoranda of understanding/agreement between each member organization and the coalition, and between members as necessary.

- Requires a long-term commitment on the part of each member organization since the problem to be addressed is not usually amenable to short-term solutions.

• Must document its activities to ensure a written history of and a continuity to its work that is not dependent upon the active participation of any single person. Such documentation can include the memoranda of understanding/agreement mentioned above.

(6) *Community-based Services*—such services could cover the gamut of health and human services offered by a wide variety of public, private organizations and agencies including preschool, Head Start, or elementary and secondary educational programs; counseling

programs, such as those involving mentors, role models, peer counselors, et al.; religious institutions; voluntary, civic, and fraternal organizations; hospitals, clinics, etc.; health care providers and organizations; Medicaid and other third party payors of health care; professional associations; runaway and homeless youth services; child welfare services; collegiate, graduate, and postgraduate programs in health or social sciences; business organizations and employers; job training programs; other State, county, or local health or human services agencies; and criminal justice or law enforcement organizations.

(7) *Minority Populations*—as defined by the Report of the Secretary's Task Force on Black and Minority Health, they include: Asian/Pacific Islanders, Blacks, Hispanics, and American Indians/Alaska Natives (which include Native Hawaiians).

Part I. Conference Grants

Purpose

This program will support meetings and conferences on health and human service problems confronting high-risk minority males. Applications are invited for conferences on these issues for information dissemination and education transfer involving service organizations and the general public, and for development of strategies to meet the health and human service needs of high-risk minority male populations and targeted communities identified by the applicant.

For purposes of this grant program, a conference is defined as a symposium, seminar, workshop, or any other organized and formal meeting lasting one or more days in which persons assemble to exchange information, strategies, or program development ideas in such areas as sharing new technologies, problem-solving, network-building, private sector activity, or financing of proposed initiatives.

Application Characteristics

Applicants should use form PHS 5161-1. The following items are offered to clarify instructions to the form.

The title, "Minority Male Conference Grant," should be typed in item 11 on the face page of the PHS 5161-1.

An abstract should precede the body of the narrative, be single spaced and not exceed 30 lines. Included in the abstract should be:

- The title of the conference
- Location of the conference
- Inclusive dates of the conference

- Expected number of registrants and type of audience

• Major purpose of the conference
The program narrative should pay particular attention to the issues described under "review criteria."

Applications should not exceed the stipulated budgetary limit of \$20,000 (direct costs).

Application Review Process

Applications will be considered nonconforming and will be returned if the project period exceeds 1 year. Applications will be screened upon receipt. Those that are judged to be incomplete, nonresponsive to the announcement, or nonconforming will be returned. Applications judged to be complete, conforming, and responsive will be reviewed for technical merit in accord with PHS policies.

Applications will be evaluated by federal and nonfederal reviewers chosen for their technical expertise in the health and human services area, experience in designing, organizing, and conducting conferences, and their understanding and special knowledge of the problems confronting the target populations addressed by the proposals.

Review Criteria

Criteria for review of applications will include the following.

Project Objectives: (40 points)

- Potential significance of the conference for the plight of high-risk minority males, and its relation to relevant conferences or activities conducted in the past 3 years;
- Clarity and justification of overall objectives, aims, and goals of the conference, the problems it intends to clarify and the developments it may stimulate.

Conference Plan: (30 points)

- Manner in which the conference is planned and organized, and presence of an administrative and organizational structure that will facilitate attainment of the proposed objectives of the conference; and
- Participation of appropriate speakers or presenters.

Project Management and Staffing: (15 points)

- Qualifications and experience of project staff, conference director, and other key personnel; and
- Appropriateness of the budget, staffing plan, and timeframe to complete the conference.

Resources: (15 points)

- Adequacy of proposed facilities and resources; and
- Support from other community organizations and letters of commitment from these organizations, if any; and

Award Criteria

Funding decisions will be based on recommendations of the reviewers, the conformance with and relative importance of the project to announced program objectives, and the availability of appropriated funds.

Terms and Conditions of Support:

A final program performance report shall include:

- The grant number;
- The title, date, and place of the conference;
- The name of the person shown on the application as the conference director or program director;
- Name(s) of the organization(s) that conducted the conference;
- A list of the individuals who participated as speakers or discussants in the formally planned sessions of the meeting and their organizational affiliations;
- Copies of papers/speeches presented at the conference; and
- A summary and evaluation of the conference.

Publications resulting from the meeting must be submitted when available.

Office of Management and Budget approval for these reporting requirements is being sought.

A final financial status reports shall be provided. Instructions for completion of this report, to identify expenditures under each legislative authority, will be provided upon award.

Part II. Community Coalition Development Grants

Purpose

This program is designed to provide limited resources to plan and develop a coalition to address the specific health and human services needs of a defined population of high-risk minority males in a specified community. These grants are intended to provide support for: (1) Developing a formal coalition of community organizations which will address health and human services important to the target population or (2) enabling an existing community coalition to modify its organizational structure, purpose, policies, or practices to demonstrate an effective and efficient way of addressing the health and human service needs of the target population.

Application Characteristics

Applicants should use Form PHS 5161-1. The following items are offered to clarify instructions to the form.

The title, "Minority Male Community Coalition Development Grant," should

be typed in item 11 on the face page of the PHS 5161-1.

The application narrative should contain:

- Documentation of the need for developing a community coalition which will address health and human service issues related to young high-risk minority males; and either:
- A description of a proposed community-based coalition that will link entities such as community-based organizations, educational institutions, local schools, churches, or health and human service organizations to address minority male health and human service issues; or
- A description of ways in which an existing coalition will review and modify its structure, purpose, policies, practices, etc., to demonstrate improvements in outreach, screening, and delivery of health and human services to these minority males.

Applications should not exceed the stipulated budgetary limit of \$50,000 (total costs).

Application Review Process

Applications will be considered nonconforming and will be returned if the project period exceeds 1 year. Applications will be screened upon receipt and those that are judged to be incomplete, nonresponsive to the announcement, or nonconforming will be returned. Applications judged to be complete, conforming, and responsive will be reviewed for technical merit in accord with PHS policies.

Applications will be evaluated by federal and nonfederal reviewers who are chosen for their technical expertise in the health and human services area, experience in coalition development, and their understanding and special knowledge of the problems confronting the target populations addressed by the proposals.

Review Criteria

Applications will be evaluated on the extent to which the applicant demonstrates the following.

Project Objectives: (60 points)

- Demonstrates ties with and credibility with the target population as evidenced by previous service to that population;
- Describes the target population and community, identifies the problem area, and assesses its consequences for the community;
- Plans to involve the target population in carrying out the program;
- Provides proof of endorsement by other organizations serving the target population;

- Describes the community's health and human service needs/problems, the proposed interventions and strategies, and the ways in which a formally organized coalition will facilitate these interventions and strategies; and

- Describes the process for effective development of a new coalition or modification of an existing coalition.

Project Management and Staffing: (20 points)

- Justifies the budget support requested, staffing plan, and timeframe for proposed activities;

- Describes the applicant's experience and qualifications to function as the lead entity in planning for activities to address the problem area and the experience and qualifications of project staff, director, and other key personnel; and

- Documents, describes, and explains the participation of other proposed coalition members.

Resources: (20 points)

- Describes the applicant's potential to develop financial and other support from and linkages with units of State, county, or local government or the private sector.

Award Criteria

Funding decisions will be based on recommendations of the reviewers, the conformance with and relative importance of the project to announced program objectives, and the availability of appropriated funds.

Terms and Conditions of Support:

A final program performance report shall include:

- The grant number;
- The name and location of the coalition and date of its formation;
- The name of the person shown on the application as the program director;
- Names of the organizations that participated in developing the coalition;
- Copies of reports, announcements, and agreements related to the coalition development activities; and
- A summary and evaluation of coalition development activities and plans.

Publications resulting from the coalition development activities must be submitted when available.

Office of Management and Budget approval for these reporting requirements is being sought.

A final financial status report shall be provided. Instructions for completion of this report, to identify expenditures under each legislative authority, will be provided upon award.

Part III. Community Coalition Demonstration Grants

Purpose

These projects are intended to demonstrate methods of implementing community coalition activities involving multiple organizations that can effectively intervene with high-risk minority males to address selected public health, social, and other related human service problems that contribute significantly to premature death and poor quality of life for this population. The program is intended to support proposed intervention projects that will be implemented by viable multi-faceted community-based coalitions which can demonstrate their capability and capacity to go beyond planning to actual program conduct. Grant applicants should engage both health and human service components in their intervention strategies. As demonstration efforts, each funded project will include an evaluation component that will assess both the efficacy of the interventions used with the target populations and the potential for replicability of the project in similar communities.

It is generally acknowledged that lifestyle and individual health behavior, compared to genetic predisposition, are responsible for the great majority of chronic disease problems such as those identified in the Secretary's Task Force on Black and Minority Health, (e.g., cancer, chemical dependency, homicide, suicide, and unintentional injury), and for HIV infection/AIDS and sexually transmitted diseases. While dietary habits, use of alcohol, tobacco, and other substances, level of physical activity, sexual practices, etc., are potentially modifiable behaviors, even in the best of circumstances such behaviors may be resistant to change. The potential for modifying behavior drops precipitously among minority populations that are disproportionately affected by adverse social or economic factors such as unemployment or underemployment, inadequate or lack of housing, no or insufficient health insurance, low educational attainment, family dysfunction, and trouble with law enforcement agencies.

In order for individuals to change, for example, their health behavior, they must be motivated beyond what is typically achieved as the result of health information or media campaigns alone. In addition, conventional intervention activities are frequently not effective in reaching minority populations. It appears that change can be achieved by community-based information dissemination, awareness, support, and exhortation, particularly if such a

community campaign is carried out using familiar as well as influential institutions such as churches and schools, and organized by recognized community leaders.

Moreover, in many cases it may be insufficient to simply pressure individuals to change behavior without offering positive alternatives. For example, if teens are being encouraged to avoid use and abuse of alcohol, tobacco, and other substances, it may also be important to organize and offer constructive alternatives such as career-oriented activities in non-traditional settings or provide appropriate adult male role models through a mentor program.

In order to increase the chance of influencing high-risk minority males to seek more healthful practices and behaviors, HHS is supporting an intradepartmental initiative that will allow grant recipients to engage both health and human service components in their intervention strategy.

This announcement is for a new grant program. Given the time and resources typically involved in researching, developing, and writing an application, potential applicants should seriously consider whether they have sufficiently strong linkages with other community organizations and health and human services agencies, and/or expertise in planning and writing proposals. For those community organizations that may require support for a planning and development phase, please see Part II of this announcement on the Community Coalition Development Grant Program.

Program Description

Projects supported under this grant program should incorporate:

(1) A needs assessment, including epidemiological and other evidence, of the health and human service problem(s) and risk factor(s) of the minority male population(s) who are the targets of the applicant's proposal.

(2) Detailed and specific methods for (a) risk-factor reduction through the use of a community coalition targeted to specific minority population(s) and to identified risk factors and (b) measuring the results of the intervention.

(3) A sound organizational scheme for the coalition which assures adequate involvement and representation of both coalition members and community leaders.

(4) An evaluation of the process of operating the coalition and implementing its activities, and how such process will impact on the risk factors and health and human service problem areas identified in the target

population through the community coalition.

(5) Coalition member organizations with demonstrated experience in community-based projects, either focused on health and/or human service concerns.

(6) Evidence of potential sources of community and other support for the project at the end of the grant period.

Application Characteristics

Applicants should use Form PHS 5161-1. The following items are offered to clarify instructions to the form.

The title, "Minority Male Community Coalition Demonstration Grant," should be typed in item 11 on the face page of the PHS 5161-1.

The program narrative may not exceed a total length of 20 single-spaced pages. Applications that exceed this limit for the narrative section will be considered nonconforming and will not be accepted for review.

An appendix may be submitted in support of the narrative and budget portions of the application. The appendix pages must be labeled clearly and numbered consecutively, continuing with the number following the last page of the body of the application.

An appendix may include:

1. Letters of commitment from coalition member organizations indicating participation in the proposed project and/or provision of financial or in-kind support;
2. Fact sheets on the history, activities, etc., of various coalition member organizations;
3. Copies of studies performed regarding health problems of minorities in the proposed project areas; and
4. Documents which verify portions of the application.

Applications should not exceed an estimated budget of \$250,000 per year (total costs). Grant funds are intended to supplement and not support existing funding for services to the targeted groups.

When preparing the budget, include reasonable costs (travel, lodging, meals, ground transportation) for the program director and one other key staff member to attend a required 2-day meeting with Federal program officials in Washington, DC, each year of the project. Provide complete justification for any planned local and domestic travel in item 23, "Remarks," of Section F of the application form.

Contractual arrangements are allowable under this program announcement. This program, however, will not fund any application that can be interpreted as a "pass through" mechanism.

This coalition grant program is not intended to support primarily the purchase of equipment. The proposed budget may include purchase of equipment that is reasonable and justified. Justification for such requested equipment and its importance to the conduct of the project should be provided in item 23, "Remarks," of Section F of the application form.

The review criteria that appear in this announcement should be addressed in the application narrative. While the narrative must not exceed 20 pages, the lengths of the individual narrative components will vary. The next section suggests a page range for each of these narrative components.

1. Project Objectives:
 - Target Health and Human Service Problem(s), Risk Factor(s), and Minority Population(s) (suggested range—2 to 3 pages);
 - Coalition (suggested range—2 to 3 pages);
 - Interventions Proposed (suggested range—8-10 pages).
2. Project Management and Staffing (suggested range—2 to 3 pages).
3. Evaluation (suggested range—2 to 3 pages).

Nonfederal Share Requirements for Demonstration Projects

It is expected that a portion of the program's costs will be borne by coalition members or by other nonfederal sources such as business, labor, local government, or community funds. Cost participation, i.e., grantee-incurred direct costs or third-party in-kind contributions, of at least 25 percent of the requested amount for year one, 40 percent of the requested amount for year two, and 50 percent of the requested amount for year three is a requirement under this program.

Application Review Process

Applications will be considered nonconforming and will be returned if the project period exceeds 3 years. Applications will be screened upon receipt. Those that are judged to be incomplete, nonresponsive to the announcement, or nonconforming will be returned. Applications judged to be complete, conforming, and responsive will be reviewed for technical merit in accord with PHS policies.

Applications will be evaluated by federal and nonfederal reviewers chosen for their technical expertise in the health and human services area, experience with similar projects, and their understanding and special knowledge of the problems confronting the target populations addressed by this proposals.

Review Criteria

Applications will be reviewed and evaluated in terms of the evidence presented in the application regarding the ability of the applicant to meet announced program objectives. Of specific importance will be the following criteria under the listed headings.

Project Objectives: (50 points)

- The rationale and technical merit of the proposed project, the consistency of the project's goals and objectives with those of the Community Coalition Demonstration Grant Program and the Office of Minority Health, and the extent to which such goals and objectives are measureable.

- The description and justification for the choice of target population, health and human service problems and the associated risk factor(s) to be targeted, and their direct relationship to the epidemiologic and socioeconomic characterization(s) of the target minority population(s).

- Coherence and feasibility of the described intervention strategies that should address the broad concept of the application rather than just an analysis of medical or social service records of minority individuals, as in a limited clinical trial or case study.

- The degree to which the approach will complement and integrate with the existing network of health and human service providers and payors.

- Coherence, feasibility, and realistic approach of the implementation methods described, including the specific efforts to be undertaken by each key component of the coalition. Timetables with responsible individual identified for accomplishing the objectives will be assessed. The specificity of the methods to address the target risk factor(s) in the target population(s) will be given significant weight in the review of the application.

- The extent to which materials used or to be developed for use in the interventions will be ethnoculturally sensitive and linguistically appropriate to the target population(s).

- The adequacy of the description of the community coalition, the documentation provided that such coalition exists, and that member organizations have worked together in the past, or with other organizations or agencies, or health or human service problems with the target population.

- The degree to which the composition of coalition members is a logical choice based on target population, target risk factor(s) and intervention(s) to be demonstrated.

- The degree of commitment of each coalition member to the coalition and to the proposed implementation plan, including the amount or extent or support indicated by coalition members to cover a portion of project needs.

Project Management and Staffing: (25 points)

- Adequacy of the coalition's organizational structure and management plan in clearly delineating each coalition member organization's area of responsibility and the process by which the specified member organization's representative will be accountable for carrying out his/her responsibility.

- Adequacy of qualifications and time allocations of proposed key staff in particular, and of regular staff in general, both paid and voluntary, and of any staff and consultant positions to be filled after award, based on review of documents such as resumes, curriculum vitae, and position descriptions.

- Appropriateness of relevant experience and qualifications of the managers of the applicant organization to provide administrative and fiscal management of the grant.

Evaluation: (25 points)

- Appropriateness of the process and outcome objectives, and adequacy of the evaluation plan to measure the operation of the coalition as well as indicators and trends of outcome changes based on the goals and objectives of the application. Likelihood that the project will help to demonstrate whether community coalitions comprising diverse public and private

sector entities can effectively promote risk-factor reduction in health and human service problem areas among high-risk minority males. Likelihood that the project will continue beyond the 3-year project period, including identification of potential sources of support. Potential for replication of this project in similar target populations and communities.

Award Criteria

Funding decisions will be based on recommendations of the reviewers, the conformance with and relative importance of the project to announced program objectives, and the availability of appropriated funds.

Terms and Conditions of Support

A final program performance report shall include:

- The grant number;
- The name and location of the coalition;
- The name of the person shown on the application as the program director;
- Names of the organizations that participated in the coalition demonstration project;
- Copies of reports, announcements, and agreements related to the coalition demonstration activities; and
- A summary and evaluation of coalition demonstration activities and accomplishments.

Publications resulting from the project must be submitted when available.

Office of Management and Budget approval for these reporting requirements is being sought.

A final financial status report shall be provided. Instructions for completion of

this report, to identify expenditures under each legislative authority, will be provided upon award.

**Executive Order 12372
(Intergovernmental Review)**

Applications submitted in response to this announcement are subject to the intergovernmental review requirements of Executive Order 12372, as implemented through Department of Health and Human Services regulations at 45 CFR part 100. Through this process, States, in consultation with local governments, are provided the opportunity to review and comment on applications for Federal assistance. Applicants should contact the State's Single Point of Contact (SPOC) as early as possible to determine the applicable procedure. A current listing of SPOCs will be included in the application kit. (Applicants should note that comments received from the State may be considered as a factor in the review of their applications.) SPOCs will have 60 days to provide comments. SPOC comments must be received by September 17 for conference and development grants and by November 28 for demonstration grants. They should be sent to: Office of Minority Health, PHS, DHHS, Administrative Service Center Warehouse, 12290 Wilkins Avenue, Rockville, MD 20852.

(A Catalog of Federal Domestic Assistance number for this program has been requested.)

Dated: May 25, 1990.

Louis W. Sullivan,

Secretary of Health and Human Services.

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H.R. 4404/Pub. L. 101-302

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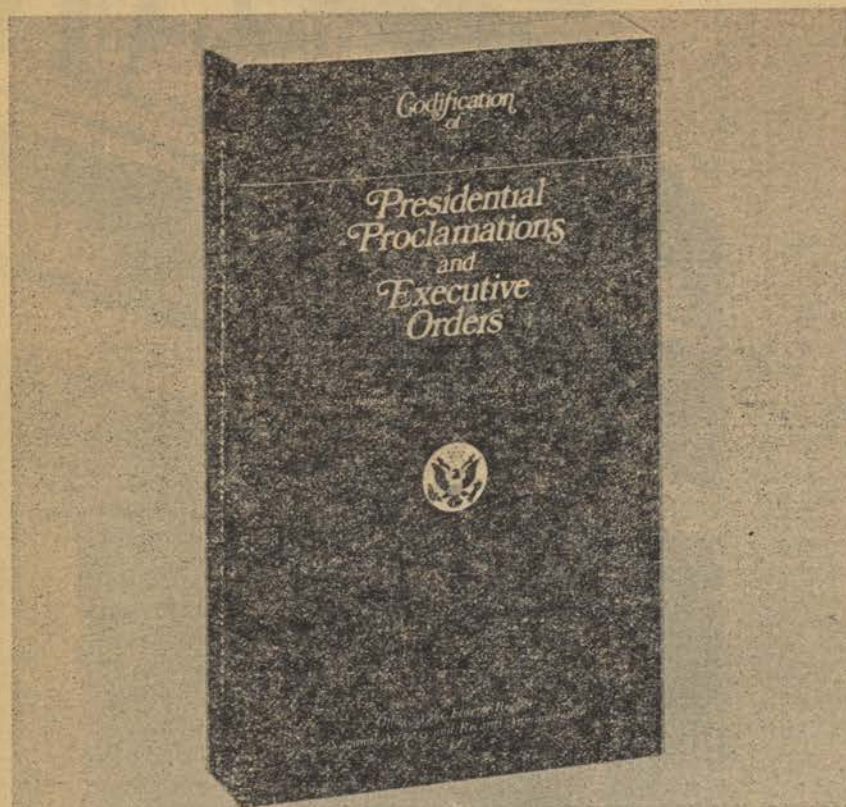
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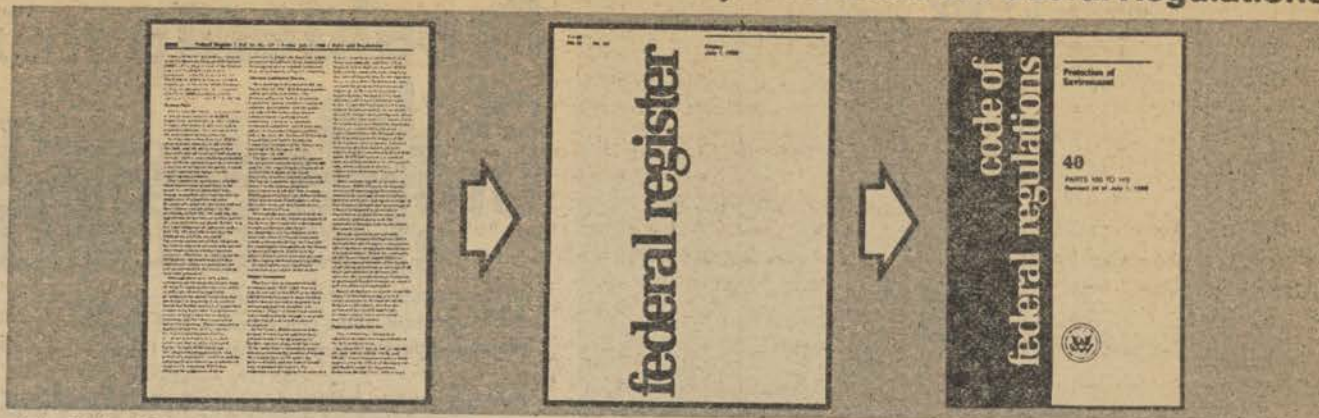
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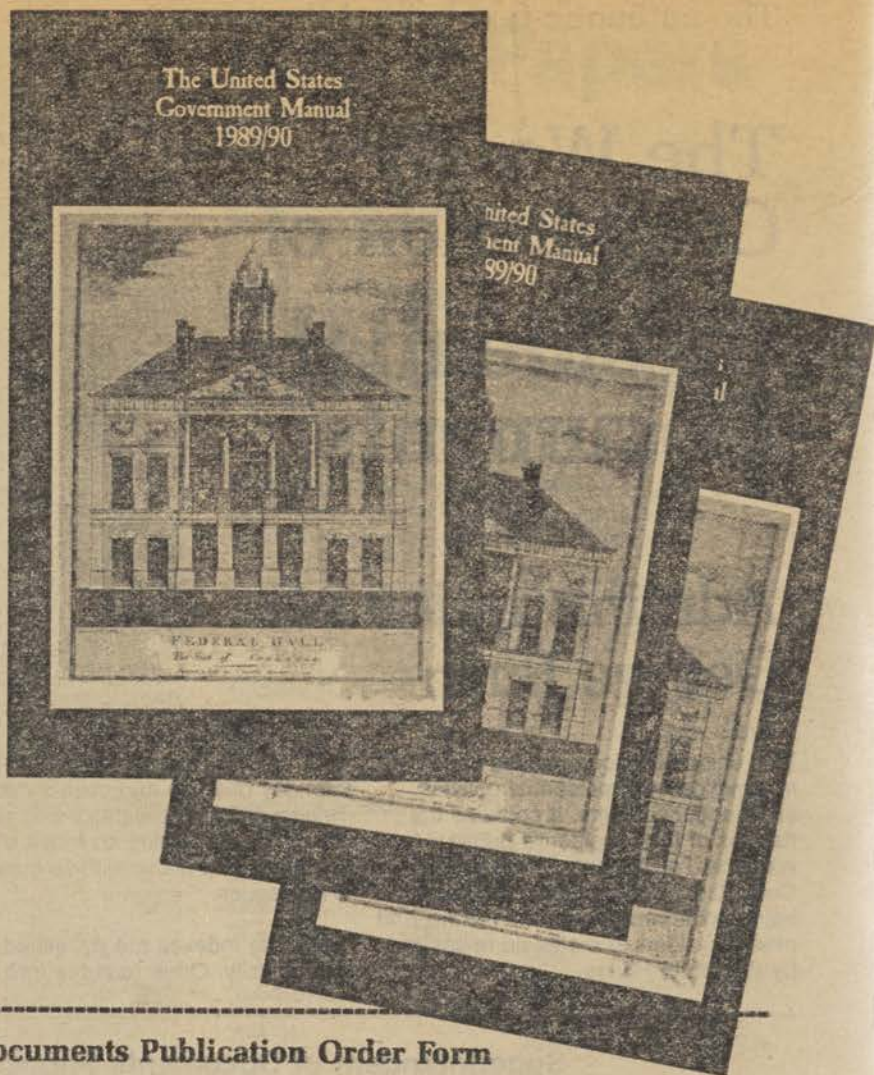
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